















A HISTORY  
OF  
CANADA

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# MAP OF THE DOMINION OF CANADA

Principal Railways  
Capitals of Provinces are underlined

English Miles

0 50 100 200 300 400 500







THE BORZOI HISTORICAL SERIES

*Under the editorship of Harry Elmer Barnes, Ph.D., Professor of Historical  
Sociology, Smith College*

# A HISTORY OF CANADA

BY CARL WITTKE, A.M., PH.D.

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TO  
LILLIAN NIPPERT WITTKÉ



## EDITORIAL INTRODUCTION TO THE BORZOI HISTORICAL SERIES

IN FEW fields of human learning has there been more progress than in the development of historical writing in the last half-century. Fifty years ago, while the subject-matter of history had increased in accuracy to a notable degree, as compared with the works of the early chroniclers and pamphleteers, it was still extremely narrow in its scope and interests. The more scholarly historians were so absorbed in the problem of the methods of documentary research that they neglected the larger consideration of the type of subject-matter most likely to reveal the nature of cultural development in the past. The content of historical works was chiefly political material, treating of wars, dynastic changes, political campaigns, diplomatic entanglements, and governmental corruption. Much space was devoted to anecdotes and episodes, interesting and amusing in themselves, but of no vital importance to an understanding of the past. Events were organized about great personalities instead of being put in the dynamic setting of cultural life and institutional development. This historical literature of a half-century ago was usually nationalistic in its outlook, chauvinistic in tone, and bigoted in its attitude toward other peoples and races. It was for the most part written from that decisively patriotic point of view which held that the culture and institutions of other peoples were markedly inferior to those of the countrymen of the writer, and national culture and institutions were looked upon as a unique local achievement. The time perspective was fatally restricted by the conception of the "dawn of history" some six thousand years ago. There was little or no conception of human history as a process extending back through an almost immeasurable period of time and combining contributions from all parts of our planet. The truly genetic point of view and the world outlook were conspicuous by their absence.

In the last two generations, due to the originality and enthusiasm of such historians as John Richard Green and his disciples in England, Karl Lamprecht and his school in Germany, Rambaud and Berr in France, Altamira in Spain, Ferrero, Croce, and others in Italy, and John B. McMaster, James Harvey Robinson, Edward P. Cheyney, Frederick Jackson Turner, James T. Shotwell, James H. Breasted, Carl Becker, Preserved Smith, and others of their type in the United States, we have witnessed the repudiation of this old narrow and inadequate type of historical writing and the development of what has been called "the new history."

This form of history is concerned with an account of the development of human culture and institutions. While fully conscious of

the necessity of employing accurate methods of research, it pushes on to the next and more vital task of providing a broader content to history and of arousing an interest in the interpretation of the materials gathered by research. The new history is as wide in its interests as the entire range of human activities and achievements in the past. It deals not only with politics, dynasties, and treaties, but likewise with art, material culture, philosophy, education, medicine, literature, and manners and customs. Cultural achievements have replaced racy anecdotes, and institutional evolution has supplanted striking episodes.

The content of the new history has been widened as much with regard to the geographical range of its outlook as with regard to the scope of the interests embodied. The new history is as universal in its international orientation and appreciation as it is comprehensive in subject-matter. It adopts a world point of view, searching out the contributions to the growth of human culture which have been made on all parts of the planet. It also makes clear the fact that human history has become more and more an international process with the progress of modern discovery and the new methods of transportation and communication. Further, as a result of the new time-perspective forced upon us by contemporary astro-physics, historical geology, biological evolution, and cultural anthropology, the new history rests upon a recognition of the slight fraction of human existence comprised within a period of so-called "written history." The whole age of man since the "dawn of history" is in reality modern history, and the old chronology and periodization of history are proved to be hopelessly inadequate and misleading. The genetic viewpoint and the new time perspective reveal the history of man as a long process of growth and expanding achievement, reaching from *Pithecanthropus Erectus* to the radio and aeroplane. The new history, then, includes the achievements of all the historic peoples of the past and present. It completely abandons the chauvinism and bigotry of the earlier variety of nationalistic historical narrative. While it freely recognizes that some nations have been more important than others in their contributions to human culture, this discrimination in emphasis is based solely upon the relative historical influence and the comparative level of the cultures produced, and not upon their racial basis, geographical location, or political affiliations.

Thus far the new history has been limited, for the most part, to the monographic, methodological, and polemic works of the leaders of the various groups interested in this movement. There has been little organized effort to rewrite the totality of human history from the standpoint of the newer interests and assumptions. Hitherto world histories have tended to be either ephemeral literary projects executed by authors possessed of stylistic capacity but with little historical knowledge, or they have been equally unreliable anthol-



ogies of the works of the contemporary historians of past ages, few of whom have had any comprehension of the standards of historical accuracy which have been worked out in the last hundred years.

A new standard for textbook writing was set a quarter of a century ago by James Harvey Robinson in his *History of Western Europe*, which revolutionized the spirit and subject-matter of historical manuals. Since that time a number of his former students, such as Charles A. Beard, J. S. Schapiro, C. J. H. Hayes, Lynn Thorndike, and Preserved Smith have followed his example in writing excellent manuals which have embodied the same breadth of interests as exemplified by Professor Robinson. Others, such as Professors Cheyney, Breasted, and Webster, have independently arrived at dynamic and synthetic attitudes toward history and the preparation of historical textbooks. It is believed by the editor, however, that the *Borzoï Historical Series* represents the first organized and systematic effort to plan a group of college textbooks which are to deal with the greater part of human history and the leading cultural areas strictly from the standpoint of the tenets of the new history. The Series is designed to provide textbooks which will enable teachers sympathetic with the newer point of view in the writing and teaching of history to present the history of mankind in such a fashion as to emphasize the evolution of civilization and the growth of institutions, instead of solely chronicling battles, describing the alternations of dynasties, analyzing treaties, and relating anecdotes concerning diplomats and political bosses. The comprehensive *History of Civilization* series, which is being published by Mr. Knopf parallel with this *Borzoï Historical Series* will provide a vast body of supplementary reading similar in the scope of its subject-matter and identical in its historical objectives.

In regard to time-perspective, the editor of the Series holds that history must begin with the very origins of the human race, and the background for the succeeding volumes is supplied by the excellent manual by Dr. Goldenweiser on the civilization of primitive man. At the same time it is evident that the history of mankind since the Scientific and Industrial Revolutions has become much more complex and varied, and much more pertinent for the guidance of contemporary social opinion. As a consequence, more volumes have been planned for the recent age than for the earlier periods. No attempt has been made to control and distribute the assignments on a sharp chronological basis. Here the governing conceptions are the principle of the continuity of history, and the recognition of the need for special treatment and analysis of the cultures of particular areas.

As to subject-matter, main emphasis is laid upon the history of culture and institutions. Yet there is no ignoring of the really vital aspects of political evolution. International relations and political and diplomatic history are presented in a broad fashion, with an indication of their relation to the deeper social, economic, and

cultural forces which condition them. Instead of the usual procedure of making political history the backbone of the narrative, and then offering a sop to the more progressive historians by sandwiching in an occasional chapter on manners and customs, this Series assumes that institutional and cultural development constitute the only intelligent basis for the organization of historical material, and political and diplomatic history is viewed as of secondary, though by no means negligible, significance.

In regard to geographical and cultural outlook, this Series endeavors as far as possible to get away from the Occidental psychosis so prevalent in the Western world. The world point of view is adopted as basic, particularly in modern times, and adequate attention will be given to a survey of the rise and development of civilization in all the important cultural areas of both the Western and Eastern Hemispheres. The main emphasis is, of course, put upon the growth of Western civilization, but nothing will be neglected which has in any important way contributed to the building up of Occidental culture. The Series frankly embodies the assumption that in the contemporary age, in particular, it will not be possible to ignore the fact that civilization has progressively become a world process, and that the interaction of East and West must be kept continually in mind.

It is further maintained as a fundamental premise that historical facts are vitally important only when intelligently organized and accurately interpreted. Hence, the interpretation of historical data will be emphasized distinctly more than casual narrative and the mere chronicling of many concrete facts. Only in this way can history be made a real introduction to the social sciences from the genetic point of view, and a valuable impulse to the growth of social intelligence.

While these are the dominating principles guiding the editor of this Series, no attempt will be made to impose his particular theories of history in detail upon any of the collaborators in the enterprise. Each author will be left free, as he should be, for a wholly independent organization and exposition of the material in the field which he covers. General adherence to the program above outlined has been assured in advance by selecting as authors of the volumes which will be included men who are in general sympathy with the historical philosophy underlying the new history. It is believed that such individual differences as exist with respect to their views on the organization and interpretation of historical material will only lead to a greater originality, vividness, and variety in the successive volumes.

If this collection of textbooks is able to achieve rather more than any previous enterprise in the way of bringing about that indispensable *rapprochement* between the abstract formulation of the principles of the new history and the actual writing and teaching of history in

the institutions of higher learning, the aspirations of both the editor and his collaborators will have been amply realized.

Mr. Knopf has spared no expense to make the maps which will appear in the successive volumes of the Borzoi Historical Series as distinctive a feature of these books as the subject-matter itself. An arrangement has been made with the famous German cartographers, F. A. Brockhaus of Leipzig, to furnish a new and unique set of maps for the Borzoi Historical Series which will be distinguished alike for workmanship, accuracy and originality of conception. As adviser in all matters of cartography related to the Series, we have selected Dr. Donald E. Smith of the George Washington High School, New York City. It is hoped that, upon the completion of the Series, the maps utilized will be combined with others in a comprehensive historical atlas which will be issued under the editorship of Dr. Smith as a concluding volume in the Series.

HARRY ELMER BARNES





## EDITORIAL INTRODUCTION

For about a century past there has been a prevalent tendency to regard American history as identical with United States history. School and college textbooks on the history of this country have been interchangeably designated "American History" and "The History of the United States," even though their scope and content were identical. Fortunately this sort of provincialism is now disappearing. We have come, even in the United States, to recognize that no one country, however powerful or prosperous, can be regarded as identical with the Western Hemisphere. Consciousness of this fact was first apparent in the adoption of the term "Latin America" as descriptive of the area south of the Rio Grande. Then books came to be written dealing with this section, which constitutes more than half of the land surface of the New World. The recognition of the existence of such an entity as the Dominion of Canada came much more slowly, and it is significant that until the present time there has been no effort in the United States to write a general historical textbook devoted to our great neighbor to the north. It is nothing less than scandalous that an educated citizen of this country should be familiar with Romulus, Scipio, or Louis the Fat and yet never have heard of Lord Durham, Lord Strathcona, or Sir Wilfred Laurier.

Not only from the standpoint of integrated and balanced historical knowledge, but also from considerations of practical statesmanship, sound economic policy, and intelligent international relations, it is much to be desired that American citizens and college students should be acquainted with the origins and development of the Dominion of Canada. In our economic life Canada has already assumed very significant proportions. As soon as citizens of the United States have developed such a degree of political maturity and urbanity that they concede the possibility of acquiring valuable information and suggestions from observation of the political institutions and experience of other states, we shall find much to instruct us in the political evolution of Canada. In the field of international relations the history of Canadian-American relations presents a record of great interest, showing how peoples, originally divided either by wide diversity of race and culture or by intense political hatreds, have been able actually to live side by side for a century and a half without impregnable fortifications, great naval armaments, and vast standing armies. The Canadian educational institutions afford an illuminating contrast with our standardized and somewhat over-regimented institutions. In other words, Canada has already come to be a factor

of very great importance in American interests and relationships. The place it will occupy in the American perspective is bound to become progressively greater as the vast area available for population fills up and industrialization proceeds apace. We cannot expect to control our contacts with Canada upon an intelligent and tolerant basis unless we equip ourselves with comprehensive and up-to-date knowledge with respect to the history and present status of Canadian life and institutions. The good relations which we have been fortunate enough to maintain with Canada cannot continue indefinitely unless our education with respect to Canada increases in proportion to the development of the range and intensity of our relations with that country.

Owing to the fact that Canada is still a relatively new, expanding, and undeveloped area, many of the outstanding events in Canadian history have as yet grown out of her international status, her diplomatic relations, her problems of imperial control and domestic administration, and the facts of exploration and settlement. Her diplomacy offers instruction as to how peace has been maintained over a large area during the greater part of a century and a half. Her imperial situation presents the first example of dominion home rule. Her home government indicates the methods whereby administrative unity has been established in the face of the difficulties imposed by cultural diversity and territorial diffusion. The gradual settlement of the Dominion has exhibited the social processes of frontier expansion paralleling that movement in America so well described by Professor Frederick Jackson Turner. Therefore, in this pioneer work in the field Professor Wittke has been compelled to organize his book to some extent around political, diplomatic, and migratory developments. Yet he has not overlooked the economic, social, and cultural advances which have so often given rise to the political and diplomatic problems and issues. As the industrialization and social evolution of Canada advances there will be provided an ever greater body of material for the institutional and cultural historian.

Professor Wittke has executed his task in a conscientious and competent fashion. He has attempted to single out the dominant features of Canadian development and to bring them into the foreground with clarity and precision. He provides an organization and exposition of the basic facts of Canadian history upon which subsequent specialized analysis and description must of necessity rest, and he makes no little progress in interpreting the underlying significance of such facts for the history of Canada and North America. His book should do much in the way of giving greater completeness to American history and toward promoting a more broad-minded, appreciative, and tolerant outlook upon American and world affairs.

Smith College  
Northampton, Mass.  
July 1, 1928.

HARRY ELMER BARNES

## PREFACE

IN RECENT years an increased amount of attention has been given in American colleges and universities to the study of Canadian history. This textbook survey is presented in the hope that it will arouse in teachers and students alike, as well as in Americans generally, a greater interest in this subject. Together with Professor R. G. Trotter's admirable *Canadian History: A Syllabus and Guide to Reading*, it should furnish a summary introduction to the study of a long-neglected field.

An effort has been made to point out the almost constant interrelation of Canadian and United States history, as well as Canada's rôle in the development of British imperial policies. The period before 1763 has been treated very briefly, not because of any underestimation of its importance, but in order to gain space for a discussion of more recent times. Brief bibliographical notes are appended to each chapter, usually with a suggestion as to where additional material can be found.

It is a difficult, not to say a daring, task to try to produce even a brief summary of the main developments in the history of a country of which comparatively little has been written. My indebtedness to the specialists, especially Canadians, who have written on specific phases of the history of Canada must appear on every page; but it is even greater than mere bibliographical citations can indicate. I am under special obligations to Professor Harry Elmer Barnes, the general editor of this series; to Professor W. P. M. Kennedy of the University of Toronto, who read the manuscript and made many helpful criticisms and suggestions; and to Dr. Hugh L. Keenleyside formerly of the University of British Columbia for the opportunity to see his monograph on "The History of American-Canadian Relations." My wife, Lillian Nippert, has been of special assistance in seeing the work through the press and in preparing the index.

CARL WITCKE

The Ohio State University  
Columbus, Ohio  
January 4, 1928



## TABLE OF CONTENTS

CHAPTER	PAGE
I. DISCOVERY AND EXPLORATION	3
II. THE FRENCH RÉGIME	13
III. ANGLO-FRENCH RIVALRY FOR NORTH AMERICA	30
IV. BRITISH RULE TO THE AMERICAN REVOLUTION	42
V. BRITISH NORTH AMERICA AND THE AMERICAN REVOLUTION	50
VI. LOYALIST PIONEERS AND THE REPEAL OF THE QUEBEC ACT	59
VII. THE FORMATIVE PERIOD (1791-1812)	68
VIII. THE WAR OF 1812	79
IX. DRIFTING TOWARD REBELLION	91
X. THE REBELLION OF 1837	106
XI. LORD DURHAM AND THE AFFAIRS OF BRITISH NORTH AMERICA	113
XII. THE REALIZATION OF RESPONSIBLE GOVERNMENT	122
XIII. ECONOMIC AND SOCIAL PROGRESS (1815-1860)	134
XIV. FOREIGN RELATIONS (1783-1850)	150
XV. THE FAILURE OF THE ACT OF UNION IN THE CANADAS	161
XVI. BRITISH NORTH AMERICA AND THE AMERICAN CIVIL WAR	169
XVII. CONFEDERATION	179
XVIII. THE GOVERNMENT OF CANADA	189
XIX. INAUGURATING THE NEW RÉGIME	199
XX. THE LIBERAL ADMINISTRATION OF ALEXANDER MACKENZIE	211
XXI. THE AGE OF MACDONALD	220
XXII. THE DECLINE OF THE CONSERVATIVE GOVERNMENT	231
XXIII. THE RETURN OF THE LIBERALS	242
XXIV. THE LAURIER RÉGIME (1904-1911)	255
XXV. THE CONSERVATIVES RETURN TO POWER	272
XXVI. ECONOMIC AND SOCIAL PROGRESS SINCE CONFEDERATION	277
XXVII. CANADIAN PARTICIPATION IN THE GREAT WAR	294
XXVIII. WAR WORK ON THE HOME FRONT	307
XXIX. THE PROBLEMS OF RECONSTRUCTION	317
XXX. EQUAL STATUS IN THE EMPIRE	339
XXXI. PARTY POLITICS SINCE THE WAR	350
APPENDIX: THE BRITISH NORTH AMERICA ACTS	367
INDEX	398





## MAPS

	PAGE
MAP OF THE DOMINION OF CANADA	<i>Frontispiece</i>
NEW FRANCE IN 1750	II
THE WAR OF 1812	85
THE MAINE BOUNDARY DISPUTE	153
THE ALASKA BOUNDARY DISPUTE	251
THE WESTERN FRONT DURING THE GREAT WAR	305
RAILROAD MAP OF THE DOMINION OF CANADA	313



A HISTORY  
OF  
CANADA





## CHAPTER I

### DISCOVERY AND EXPLORATION

THE present-day Dominion of Canada comprises an area of nearly 3,750,000 square miles. In territorial extent it is larger than the United States and almost as large as the entire continent of Europe. Canada's southernmost point is in the latitude of sunny Italy, while its northernmost extreme is hundreds of miles beyond the Magnetic Pole. The province of Quebec alone, if we include the Ungava district, is larger than Belgium, Holland, Germany, Denmark, Sweden, Bulgaria, and the old Austro-Hungarian Empire of the days before the Great War of 1914-1918. *Size of Canada*

The thousands of miles of frontier that separate Canada from the United States form a political and national boundary which has little justification from the standpoint of the physical geography of North America. The narrow Atlantic coastal plain, extending from the Gulf of St. Lawrence to Florida, is flanked on the west by the plateaus and ridges of the Appalachian Mountains, extending diagonally through the eastern section of North America. The eastern maritime provinces of New Brunswick and Nova Scotia are really a part of the great Appalachian system. Westward from the Appalachians to the Rocky Mountains stretches a vast plain, dotted with beautiful lakes and furrowed by majestic rivers. Gradually, in ever-rising plateaus, the prairies and the plains blend into the high, wide ranges of the Rockies extending almost to the Pacific Ocean. Topographically, the various sections of the United States and Canada are one, for nature has erected no important barriers between them. The boundaries which divide these two great nations are of artificial creation. *Physical features*

The soil of Canada is the result of century-long glacial action. This entire part of the world was once covered with ice, with the result that glaciers have denuded some sections of their soil and enriched others with heavy deposits. In the Laurentian Plateau around Hudson Bay, and extending through most of the modern provinces of Quebec and Ontario, much of the soil is sufficient for a heavy forest growth, but not for extensive agriculture, except in the fertile valleys. In 1924 the province of Quebec produced more than 1,170,000 tons of pulp, valued at over \$21,000,000; her total supply of standing pulp-wood was estimated at 345,000,000 cords. In many regions, where the timber has been removed, the land stretches for miles in a barren waste. In the maritime provinces of New Brunswick and Nova Scotia, and in Prince Edward Island, the *Soil*

land is unusually fertile, due to erosion and rock decay, and also to tidal deposits. The lowlands in the St. Lawrence basin, from Quebec to the United States boundary, are among the most fertile areas of the Dominion, due to the decomposition of shale and limestone into a very rich clay soil. The western prairies of Manitoba, Saskatchewan, and Alberta constitute for the most part a drift-covered area of finely powdered rock, the result of ages of glacial action. Here the shale and sandstone have weathered into a clay loam and made this one of the greatest wheat-producing areas in the world. In the cordilleran region, extending from the Rocky Mountains to the Pacific Ocean, agriculture is possible only in the valleys, where rivers arising from glaciers have deposited a rich soil.

#### *Water resources*

Canada has the greatest aggregate of water-power of any country in the world. Of her total area of 3,729,665 square miles, 125,755 are water entirely within the country. On the eastern side of the Dominion the St. Lawrence River, Europe's gateway to Canada, drains an area of 530,000 square miles, most of it in Canada. One of its tributaries, the Ottawa, is 700 miles long. For 1000 miles, to Montreal, the St. Lawrence is navigable for large ocean-going steamers, and through a series of lakes and canals large vessels can sail or steam 1400 miles further inland. The area of the Great Lakes, the waters of which the St. Lawrence carries to the sea, is little short of 100,000 square miles. Yet Lake Winnipeg is larger than Lake Ontario, and both Great Slave Lake and Great Bear Lake are larger than Lake Winnipeg. Scores of other lakes in the interior of Canada range from fifty to more than a hundred miles in length, while smaller lakes abound everywhere.

The basin of the Nelson River, which drains the Winnipeg lake system, covers an area of 367,000 square miles, extending from the Rocky Mountains to Hudson Bay. The sources of the great Mississippi, which empties into the warm Gulf of Mexico, and the headwaters of the Saskatchewan, the waters of which eventually find their way over a course of 1600 miles to the frozen Arctic Ocean, are almost within sight of each other on the Canada-United States boundary. For miles the forty-ninth parallel, which constitutes the international boundary between the United States and Canada in the west, almost coincides with the natural watershed dividing the rivers flowing into Hudson Bay from the Missouri and Mississippi river systems. In the northwest, the Mackenzie river system, 2500 miles in length, drains a basin of more than a million square miles, and the Yukon, flowing over a course of 2000 miles, drains an area of 145,000 square miles. The possibilities for hydro-electric power offered by some of these great streams are just now beginning to be developed. In the province of Quebec alone 1,300,000 horsepower were derived in 1925 from the harnessing of some of the almost innumerable rivers.

Nature has endowed Canada with a wide variety of resources.

In the extreme eastern provinces of Nova Scotia and New Brunswick, and in the extreme western province of British Columbia, the most important coal deposits have been found. The coal resources of the Appalachian region, including the maritime provinces and the section of Quebec lying southeast of the St. Lawrence River, have been estimated at 6,150,000,000 tons. Coal has also been found in Alberta and Saskatchewan. Newfoundland produces cheap iron ores. Near Thetford, in southeastern Quebec, large open pits yield eighty-three per cent of the world's supply of asbestos. In the lowlands of the St. Lawrence basin no coal or metal has been located, but natural gas, petroleum, salt, and gypsum are among the important products of this section. In the Great Lakes basin valuable deposits of copper, nickel, mica, and silver have been found. In 1903 great silver deposits were discovered in the cobalt field in northern Ontario. In the vicinity of Lake Huron there are salt beds 200 feet deep. In the cordilleran region, extending from the western plains to the Pacific coast, coal, gold, lead, copper, and silver have been found. What mineral deposits may still lie hidden in the frozen basins of Hudson Bay and in the Arctic region have yet to be determined.

*Mineral  
deposits*

The great plains of Canada, extending from the Appalachians to the Rockies, are mainly in the temperate zone, lying between latitudes 42° and 83°. Here the transition from winter to summer is exceedingly rapid. The province of Ontario has a climate ranging from that of Rome to that of northern Scotland. Vegetables can be grown within the Arctic Circle, especially in the valley of the Mackenzie River, and wheat can be produced in surprisingly high latitudes. Rudyard Kipling's poetic characterization of Canada as "Our Lady of the Snows" is only partially true, and it has helped to give many people a totally false conception of the climate and agricultural potentialities of the Dominion. Settlement in Canada has gradually been expanding northward as well as westward. The Dominion is "no longer a tapeworm, but rather resembles a wasp, with the waist at Winnipeg."

*Climate*

Canada's long and irregular coastline has placed fishing and ship-ping among her fundamental and most prosperous industries. In her forests the moose, caribou, deer, bear, wolf, fox, and other fur-bearing animals have furnished profitable employment to the hunter, the trader, and the trapper from the time of the earliest explorations to the present day. The furs of the beaver, the otter, and the muskrat are still among Canada's most valuable articles of commerce. The vast areas of primeval forests have given rise to the great lumber, pulp, and paper mills now established in that region. Great herds of American bison once roamed the western plains and furnished the meat supply of the aboriginal Indians and early white settlers, until the advance of civilization finally crowded the last of the herds to the northwest. In Wainwright Park, Alberta, and in the Peace River district, the Canadian government is now trying to protect and pre-

*Natural  
resources*



serve what is left of these former monarchs of the plains. The area they vacated has proved to be one of the richest wheat-producing regions in the world; but not for a century and a half after the early explorers reached this region did the hand of the plowman turn the prairie soil and reveal its golden riches.

Until the beginning of the sixteenth century Canada, with its rich opportunities and marvelous resources, was practically unknown to Europeans. Red-skinned Indians roamed over this vast expanse, though their number probably did not greatly exceed 200,000. Among the most important tribes were the Algonquins, occupying a broad belt from the Atlantic to the Rockies; the Athapascans, scattered over the Mackenzie basin toward the northwest; the Hurons, living on the shores of Lake Huron and Georgian Bay; and the powerful Iroquois, roaming the southern shores of Lake Ontario. Along the barren coasts of Labrador and the Arctic Ocean lived the Eskimos, a short, strong, swarthy people whose racial origin is still to some extent a matter of speculation and controversy.

About the year 1000 A.D. a little band of Norse Vikings under Leif Ericson piloted their ships across the treacherous northern waters of the Atlantic and landed somewhere near the coast of Labrador—the first white men to set foot on the soil of North America. Their deeds were recorded and transmitted to posterity through the *sagas*, or legends, of their people. It was not until quite recent times that investigators could identify with any degree of certainty the region where they first landed, and that archæologists, digging for history with pick and shovel, tried to verify the accounts of their settlement. The efforts of these Norse adventurers came to nothing, and the dawn of the sixteenth century found Canada still a vast territory unknown to all save the aborigines who wandered over its plains, quite unconscious of the juggernaut of white civilization which was so soon to grind them under its relentless advance.

In 1497, thirteen months before Christopher Columbus reached the mainland of America, John Cabot, a Genoese navigator sailing under letters patent granted by King Henry VII of England, made a landfall on the shores of Labrador or Newfoundland, and may have reached Cape Breton Island. Two years later a Portuguese navigator, Gaspar Corte Real, explored the east coast of Newfoundland, and in 1500 reached the coast of Greenland. In 1524 a Florentine, Giovanni Da Verrazano, sailing under French auspices, skirted the North American coast from the Carolinas to Newfoundland, and gave to the region around the Gulf of St. Lawrence the name of New France. Fishing vessels followed in the wake of these early exploring expeditions, and from 1504 on, French, English, and Portuguese fishermen, sailing before strong east winds which often took them to the Grand Bank of the Atlantic in less than a month's time, made yearly voyages to fish in the North Atlantic and to trade for furs with the native inhabitants of this region. Before Cartier began his explora-

Canadian  
Indians

Norse  
discoveries

Voyages of  
discovery

tion of the lower St. Lawrence valley the American coast had been more or less thoroughly explored from Greenland to Florida, either by fishermen plying their trade or by explorers intent upon finding the mythical northwest passage which would lead them directly to the fabled riches of the East.

It was Jacques Cartier who really laid the foundations for a New France in North America. In a series of three voyages, the first in 1534 and the last in 1541, he thoroughly explored the shores of Newfoundland and the region around the Gulf of St. Lawrence. Entering the St. Lawrence River, he followed it to the Indian settlement of Hochelaga, near the present site of Montreal. There he climbed "Mont Real," and from that elevation he was the first white man to view the beauties of the Lachine Rapids and the winding Ottawa River in the distance. On his last expedition he erected a tiny fort at Quebec, and sowed an acre and a half of the virgin soil with cabbage, turnips, and lettuce in a laudable though futile effort to plant a permanent settlement on the banks of the St. Lawrence. All of this vast region he claimed for the King of France, erecting crosses and markers to warn all intruders against trespassing upon what was thereafter to be considered a part of the domains of the French Crown.

*Jacques Cartier*

For sixty years French interest in the New World lagged, and France, though one of the leading nations of the world, was the last to appreciate the importance of the newly-discovered continent. Domestic disturbances and problems prevented the development of a French America in these years. But a new era dawned with the coming of Samuel de Champlain. Champlain was thirty-six years of age when he made his first voyage to North America, but his unflagging courage and clear vision made him the superior of all the men with whom he was associated. Champlain came to America with an enviable record behind him as a soldier and sailor, having already, in spite of his youth, visited Mexico, Panama, and the Antilles. In July, 1608, he founded Quebec on a site commanding the way into the heart of North America. Of his band of twenty-eight settlers only eight survived the first winter with its terrible cold and the ravages of scurvy. But for years Quebec remained the only French post in America, an important center for the fur trade, but dependent on the mother-country for practically all of its supplies. In 1619 Champlain became seriously involved in one of the numerous Indian wars, and helped give battle to the Iroquois along the Richelieu River. Later on the Iroquois, partly from desire for revenge, but more particularly because of the location of their lands around the southern shores of Lake Ontario, and their strategic position as middlemen in the trade with the western Indians, became the natural allies of the Dutch and English and the perpetual enemies of the French. Their alliance with the British was destined to be-

*Samuel  
de Champlain*

come an important factor in the final struggles between France and England for supremacy in North America.

For approximately twenty-five years Champlain moved restlessly across the stage of New France. In 1609 he discovered the lake which now bears his name. In 1613 he was vainly following the Ottawa River in quest of a northwest passage through the continent. Two years later he was on the shores of Lake Huron, and by 1634 his agent reached Wisconsin. Jean Nicolet, who at the age of twenty had been sent to live with the Algonquins around Lake Nipissing for the purpose of learning their language, was probably the first European to enter Lake Michigan. This was in the year 1634. From the upper waters of the Wisconsin he might easily have gone on to the Mississippi.

*Champlain as  
colonizer*

In spite of opposition and intrigues at the French court, Champlain's courage remained undaunted, and his vision of a great French colony in the New World never failed. In 1627, when the English colony of Virginia had a population of more than four thousand and was beginning to develop a profitable tobacco plantation system, Champlain's Quebec numbered just sixty-five souls, only a fourth of whom were able to work; many were living on roots and herbs and eels, and some had already made off to the neighboring woods. During the last nineteen years of his life Champlain devoted himself entirely to his Quebec project. Once, in 1629, he saw the French flag hauled down in surrender to the English—an ominous portent of the great struggles to come; but in 1632 the post was restored to French hands. In 1635, following a stroke of paralysis, this tireless champion of French power in America passed forever from the scene.

*Exploring the  
interior*

By the early 1660's French explorers had reached the region to the north and west of Lake Superior. Radisson and Groseilliers, relishing the profits of the fur trade no less than the adventures of exploration, carried the fleur-de-lys of France far into the interior, and made new Indian alliances with the Sioux, Assiniboines, and other tribes in the far Northwest.

*Soldiers of  
Cross*

The missionary was closely associated with the explorer and the trader in the opening of the New World to French contacts. The first permanent Indian mission was established in New France by the Récollet friars in 1615. Ten years later the first Jesuits arrived. With genuine heroism and laudable zeal for the faith these holy fathers made their way into the wilderness amid terrible hardships, intent upon saving the souls of their red-skinned brethren through the Roman Church. One of the most courageous, Jean de Brébeuf, devoted almost a quarter of a century to missionary activities among the Hurons, studying their language, preparing a grammar and a dictionary for those who would follow him, and translating the Catechism into the Huron tongue. He died at the stake, suffering horrible torture at the hands of the Iroquois.

The life of these pious soldiers of the cross was almost always



one of rigorous self-denial. Bravely and without complaint they submitted to the eternal smoke, vermin, and filth of the Indian brethren whose souls they came to save. They battled, generally in vain, against the superstitions of the Indians, who only too often remained entirely unmoved by the solemn litanies, and the sacred pictures, ornaments, and vestments, with which the Jesuits sought to capture their imagination. Sometimes the missionaries were regarded as sorcerers, and as such responsible for the epidemics and the ill-luck that befell their Indian flock. But they continued their work, baptizing the sick and the dying in secret if at last no other means would serve to lead the Indians into the Catholic fold.

*Life of  
missionaries*

From early in the morning to late at night the Jesuit gave himself to his labors. Rising at four, he usually devoted the first few hours of the day to private devotion and masses. After breakfast he began the often thankless task of catechizing and instructing the Indians—a duty which usually continued, with few interruptions, until the late afternoon. The evening was left for reading and study, and for further private devotions. Mission stations sprang up here and there, usually consisting of a little log chapel, several houses around it enclosed by a palisade, and some cleared fields around the station where either converts or hired men carried on the fur trade and a primitive kind of agriculture. Like many other apostles of an evangelical religion, these Catholic fathers soon learned that it was much easier to convert an Indian than it was to hold him rigidly to his new faith. Moreover, many a Jesuit mission started among the Hurons and the Algonquins fell a victim to the exterminating fury of the Iroquois.

*Day's routine*

Difficult as it may be fully to understand and appreciate the theology or the methods sometimes employed by zealous priests in making converts, it would be unfair to overlook the record of heroism and devotion which the French missionaries have written across the pages of American history. In the words of Parkman, "their virtues shine amidst the rubbish of error, like diamonds and gold in the gravel of the torrent." Every Jesuit mission station was an outpost of French influence in North America, and the soldiers of the church and the soldiers of the king, advancing together, carried the fleur-de-lys and the cross ever further into the interior of New France. The Jesuit served his king, as well as his church. He often formed an important link between the French fur traders and their Indian customers; he made elaborate reports of affairs in the Indian country to headquarters in Quebec, and he sometimes skilfully combined the duties of fur trader, interpreter, explorer, and missionary.

*Record of  
heroism*

The names of many of these missionary explorers have long since been forgotten. In 1665 Father Allouez ventured into the Lake Superior country and remained there for twenty-five years. Five years later two Sulpicians were exploring the bounds of Lake Erie, and Jacques Marquette was learning from the Illinois Indians about

*Missionary  
explorers*



a great river to the west. In May, 1673, Father Marquette, in company with the trader Louis Joliet and five assistants, set out to verify the tale. Starting from the north shore of Lake Michigan, they crossed by the Fox-Wisconsin route to the great Father of Waters, and on June 17 reached the Mississippi at a point near the present site of Prairie-du-Chien. Drifting with the current, and anchoring each night in midstream to avoid trouble with the Indians, the little group passed the mouths of the Illinois, Missouri, and Ohio Rivers, and finally stopped their progress where the Arkansas enters the Mississippi. By September they had returned to their starting-point, having covered approximately 2500 miles. Here Marquette was compelled by an attack of malaria to remain, while Joliet journeyed on to Quebec and reported to Governor Frontenac the results of the expedition. Marquette died two years later, at the age of thirty-eight, in the Illinois country to which he had returned to found a mission.

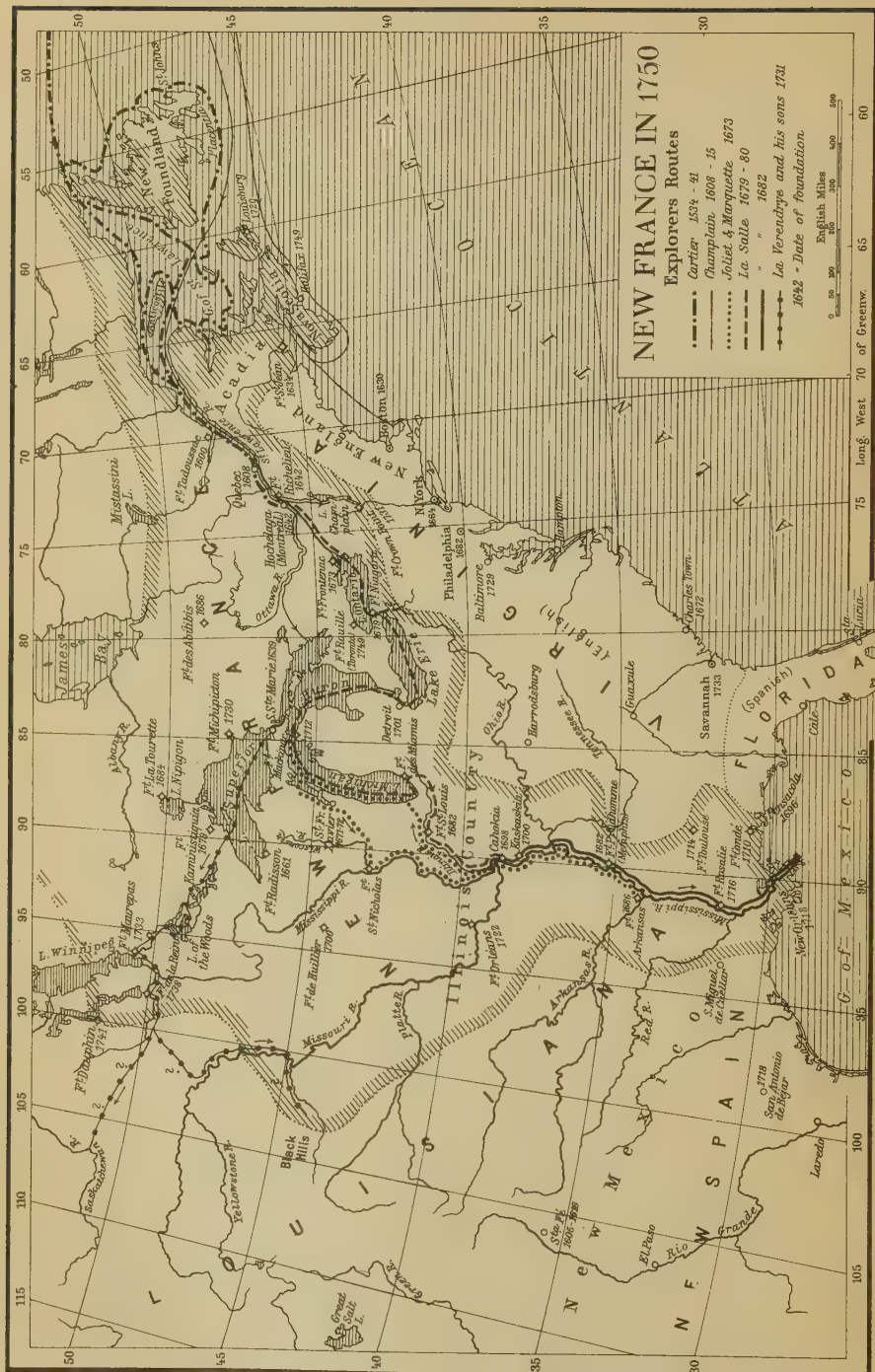
*La Salle*

It was left for Robert Cavalier de la Salle, in many respects the greatest of all French explorers, to complete the exploration of the Mississippi. Coming from a wealthy Norman family and trained by Jesuits for a career of learning, his adventurous spirit soon led him to New France, where his brother was serving as a Sulpician priest. In 1667 La Salle was busy laying out his landed estate near Montreal. Two years later he disposed of his seigniory, and with a company of men set out in canoes for Lake Ontario. In the winter and spring of 1669-1670 he probably reached the waters of the Ohio River. With an eye on the profits of the fur trade, he conceived a grandiose scheme to extend this trade to the Mississippi valley. By 1678 he had obtained the consent of the home authorities to build a chain of forts from New France to Mexico, and to exploit the fur trade of the Mississippi valley as a private monopoly. Undismayed by strokes of ill-fortune which would have broken a man of lesser mold, early in 1682 he set out to find the mouth of the Mississippi River. He reached the Gulf of Mexico in the spring of that year, and in 1684 he undertook to plant a French settlement at the mouth of the river. Three years later he was killed by his mutinous followers, who had been driven to desperation by weeks of wandering on the Texas coast. Twelve years after his death France succeeded in planting her first settlement in the lower Mississippi valley, to which the exploration of the unfortunate La Salle had established a French claim.

*French posts in  
the Mississippi  
valley*

New Orleans was founded in 1718. There were earlier settlements of less importance in this region, and French posts were soon erected farther up the valley. It became the ambition of the promoters of New France eventually to consolidate the French settlements along the St. Lawrence with those in the Mississippi valley, and thus crowd out their English and Spanish rivals. Fort St. Louis was begun by La Salle in 1682. Cahokia and Kaskaskia were established





as mission stations in the Illinois country before the close of 1700, and Detroit was founded in 1701.

The early years of the eighteenth century witnessed the extension of French exploring activities beyond the Mississippi. Again the desire for furs and the zeal for making converts were the leading motives behind this westward expansion. In 1731 La Verendrye and his three sons planned to carry the fur trade beyond Lake Superior. By the spring of 1733 one son had erected a fort at the mouth of the Winnipeg River, and five years later the party was established on the banks of the Missouri. Still searching for the "Western Sea," some of the group seem to have wandered westward and established contacts with the Crow and Shoshone Indians, but there is still much controversy over the exact route followed by this western expedition. It may have penetrated to the Saskatchewan valley and come within sight of the Rocky Mountains, although recent investigations would indicate that the explorers could not have reached any point west of the Black Hills of South Dakota.

*Westward  
expansion*

By the close of the French period (1763) the exploration of what may be called Canada proper had extended to Lake Winnipeg and the Lake of the Woods, up the Red River to the Assiniboine, overland into the valley of the Missouri, on the one side, and the Saskatchewan, on the other, and southwesterly into the valley of the Yellowstone. France claimed not only the St. Lawrence valley and the Great Lakes basin, but the region of the Mississippi as well. In the latter region, however, she had encountered the rival claims of England and Spain, and these were adjusted only after a century of warfare.

*Extent of  
French claims*

But France had erected this pretentious superstructure on exceedingly insecure foundations. She had spread her claims over half of North America and had made it part of her glorious colonial empire. It was left for the eighteenth century to reveal how thin this veneer of French influence over most of North America really was.

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## CHAPTER II

### THE FRENCH RÉGIME

IN THE seventeenth and eighteenth centuries France, like all other European nations of the time, clung tenaciously to the mercantilist view of the value of colonies. According to this theory, the aim of nations was to become self-sufficient unities. Colonies existed for the benefit of the mother-country only, and were to be carefully regulated and exploited for her profit. Home governments had little interest in the development of self-supporting colonies or in the rise of institutions of local government. France's primary object in North America was the promotion of the fisheries and the fur trade—occupations which would yield immediate revenue for the royal treasury and which could best be administered from the seat of government in France.

*Mercantile  
theory*

The fundamental principles underlying French colonial policy were absolute paternalism, close union of church and state, and trade monopoly. French Canada was under the direct control of the French Crown, and the home government insisted on remaining the sole judge of what regulations were best for developing the resources and the trade of the colony. So close was the supervision exercised by this paternalistic French government that practically nothing was left to private determination and initiative. Moreover, under this theory of government, since it would be impossible for the king to exercise direct control, it became the practice to farm out, either to persons or to companies, a monopoly of the power to plant colonies, establish missions, and exploit the trade of the dependency.

*Fundamentals  
of French  
colonial policy*

At the opening of the seventeenth century trade was beginning to develop in New France, but colonization and settlement lagged far behind. Trade monopolies were granted to individuals and also to a company formed in France for which Champlain served as agent. Companies of this kind usually paid good dividends on the fur trade, but made little progress in promoting settlements along the St. Lawrence River. Indeed, from the very beginning the establishment of permanent settlements seemed incompatible with a maximum profit from the fur trade, for the latter could thrive only in a country that remained a wilderness.

*Trade*

After several earlier experiments, in 1627 monopoly powers over New France were granted to the Company of New France, an enterprise which had the support of no less a personage than the king's chief minister, Cardinal Richelieu. He conceived the scheme as a part of his general policy to build a world empire for France and

*Company of  
New France*

dispute with England and Holland the profits to be derived from the New World. The company's headquarters were in Paris, its stockholders were mostly Parisians, and the enterprise was capitalized at 300,000 livres, divided at first into one hundred shares. Like the companies that had preceded it, the Company of New France exercised an absolute control over its territory under the king, and received a perpetual monopoly of the fur trade and a fifteen-year monopoly of all other trade with the colony. The only activities which remained free were the cod and whale fisheries. Colonists might trade with the Indians, but they were required to transfer all furs to the company at a fixed price. All merchandise imported by the company from the mother-country was to be exempt from duty for fifteen years. The company had powers of taxation as well as the right to create courts and appoint all administrative officials. In return for these sweeping concessions, the company undertook to fortify the colony, to send out three hundred faithful Roman Catholic settlers each year, and to provide each settlement with three priests to supervise its religious life and to convert the heathen natives.

*Difficulties of  
company*

In spite of the royal patronage, however, the company failed. France's European wars distracted the attention of Richelieu, and the company soon became involved in financial difficulties. A number of its supply-ships were seized by the British, and in 1629 Quebec itself was captured by the English and was not restored until the Treaty of St. Germain-en-Laye in 1632. The hostile Iroquois continued to menace the straggling settlements, and in 1648 and 1649 they virtually exterminated the friendly Hurons. A rival Scottish and English company proved particularly damaging to the French undertaking in the years 1629-1632. Within a few years the company was willing to transfer its trading privileges to an association of merchants in New France (*Compagnie des Habitans*). Interest in the colony was now at low ebb, and for a time French ministers planned to use it as a dumping-ground for criminals and other undesirables.

*Government of  
colony*

Notwithstanding these difficulties some progress was made in the development of a governmental system. Soon after the *Compagnie des Habitans* was organized, an agitation arose for the creation of a council to assist the governor of the colony. In 1647 the Council of Quebec, consisting of the governor, the superior of the Jesuits, and the commandant of troops at Montreal, was established. In the following year two citizens were added to the council membership by choice of the other three. There was, however, no suggestion of representative institutions such as were already beginning to develop in the English colonies to the south. The nearest approach to the practice of representation was the formation of the syndics of Montreal and Quebec, a kind of grievance committee, chosen by the citizens to register complaints at the seat of authority. But these bodies had no further voice in governmental affairs, and were without voting power.

After almost thirty years of rule by the Company of New France the population of French Canada was less than 2500. Besides Quebec, other struggling settlements had arisen, such as Three Rivers (1634), Sillery (1637), Montreal (1642), and Fort Richelieu (1642), but the company had steadily neglected colonization in favor of the fur trade. Nevertheless, the company continued to control the political and commercial destinies of New France until 1663. The French were not a colonizing people, and those who did migrate to the dominions across the sea soon became discouraged by the minute and burdensome governmental regulations to which they were subjected. The population consisted largely of priests, officials, and fur traders, and there was little agriculture or industry. In Quebec, the capital, there were seventy houses and 550 people in 1665. In the lower town were the shops of the merchants, the storehouses, and the residences. In the upper town were the homes of the clergy and religious orders, and the principal buildings. In 1665 Three Rivers had 455 inhabitants, and Montreal 625. The great promoter of New France, Cardinal Richelieu, was too busy with his tasks of crushing feudalism and building up the royal power in France to have much time or energy left for his venture across the Atlantic.

*Population*

In 1663 the company's charter was cancelled and by a decree of the king New France became a royal province. Its slow progress under the rule of the company, and the bitter quarrels that broke out among the officials who had the government of the colony in hand were the main reasons for this change. Under the personal guidance of the young Louis XIV and his minister Colbert, both of whom were fired with a faith in France's destiny to become a great world empire, conditions in New France began to improve. The Sovereign Council of Quebec, consisting of the governor, bishop, and five councillors, was promptly created, and this body remained, with modifications, an important agency of government to the close of the French régime a century later. This Sovereign Council—later renamed the Superior Council—had a wide variety of powers. It administered the laws of France in the colony, it promulgated all royal decrees, and it made and enforced local ordinances. It also heard the complaints of the syndics, and served as a court of appeal, always subject, of course, to the final power of the French king. The council soon exercised such varied functions as regulating trade, policing the province, fixing prices, and administering all local affairs.

*Royal province*

In 1674, and again in 1703, the size of the council was increased by royal decree, until finally it included the governor, the bishop, the intendant, the attorney-general, the clerk, and twelve other councillors. Once a week, on Monday, these men met to dispose of all the minute and vexing details that came to them for settlement, and to hear hundreds of petty disputes that were appealed to them for adjudication. To this routine the Sovereign Council brought an honesty of purpose and a devotion to duty which should not be over-

*Sovereign  
Council of  
Quebec*



looked in the face of the many unfavorable criticisms of the French régime in Canada. Louis XIV took a keen personal interest in the affairs of the colony, and read with patience and care the hundreds of dispatches that came from the province.

*Governor and  
bishop*

The governor of New France commanded the troops sent out for the protection of the colony, supervised inter-colonial relations and Indian affairs, and theoretically, at least, served as the direct representative of the king. As a matter of fact, he found his powers much curtailed by the presence of two other officials in the council, namely, the bishop and the royal intendant. Friction between bishop and governor was very common, and in these struggles the bishop, as the head of a powerful church organization, exercised no little power. One of the functions of the intendant was to serve as a buffer between these two quarreling officials.

*Intendant*

The first intendant to come to Canada was Jean Talon, who was appointed in 1665. Professor William B. Munro has appropriately called this official "the royal man-of-all-work," for the intendant was the chief instrument of the royal power in the colony. His office was an old one in France, and his duties were numerous and diverse. The intendant supervised the administration of justice, and acted as chief justice in appeals. It was his duty to watch over the administration of the colonial finances, and the stores and equipment of the military forces in the colony. In the absence of the governor he presided over the meetings of the Sovereign Council. His power reached into every department of government, and deep into the homes and every-day life of the people. Theoretically, the intendant's powers were supreme in their sphere even over those of the governor, although the powers of the various government officials were all too vaguely defined, and there was much overlapping of jurisdictions and frequent working at cross purposes. The French did not understand or approve the theory of separation of powers, and in this muddling of functions lay one of the greatest weaknesses of the French régime in North America.

*Minor officials*

In addition to these major officials, the colony had more than its due share of minor office-holders, judges, church officials, bailiffs, and deputies of various kinds. Many of these officials were poorly chosen, and were second- or third-rate men who sought the sinecures of New France in order to replenish, by judicious grafting, their depleted family fortunes.

*Progress as  
royal province*

In the first ten years of direct royal control the population of Canada nearly trebled, but as late as 1673 Canada's seven thousand people remained but a handful as compared with the rapidly increasing number of British colonists along the Atlantic seaboard farther south. Successful efforts were made to stop the devastating raids of the Iroquois on the frontier posts of Canada. In 1665 a detachment of regular French troops, the famous Carignan-Salières regiment, arrived. In imitation of earlier Roman practice some efforts were

made to furnish these veterans with wives, and to settle them as soldier-farmers along the Richelieu River, where they might serve as frontier guards against the Indians.

Jean Talon, the first and also the greatest of the intendants, showed remarkable enthusiasm and capacity for the performance of his new duties. He sent surveyors to search for copper and iron along the shores of Lake Huron, and at the same time he tried to introduce better agricultural methods and to encourage the importation of better breeds of animals from Europe. By a system of bounties he sought to stimulate the production of necessary commodities such as soap, potash, and tar, and also to promote ship-building. He encouraged fishing, stimulated the manufacture of household wares, and planned to promote trade between Canada and the West Indies. In 1671 Talon wrote joyfully to France, "I am now clothed from foot to head with home-made articles."

*Talon, great  
intendant*

As Talon was the outstanding intendant, so the Count de Frontenac was New France's greatest and most picturesque governor. Possessed of an ungovernable temper and of membership in France's financially embarrassed nobility, Frontenac was nevertheless a man of indomitable courage and surpassing statesmanship. He not only understood the Indian problem but recognized the importance of Indian alliances in the struggle for supremacy in North America. He managed the Indians with flattery and generosity when this seemed the most effective procedure, and with harsh severity when force seemed to be the only alternative. He danced and yelled and smoked with his dusky allies, and punished them too, all with equal zest. Frontenac fully appreciated the importance of the impending inter-colonial conflicts between England and France over the interior of North America, and planned a series of fortifications along the Great Lakes and to the Mississippi River, in order to consolidate French power in America. In another direction his political sagacity was revealed by an attempt to convene a Canadian states-general, and to establish municipal institutions in New France; but these efforts, like many others, came to nothing because the governor received little or no support from the home government. A man of his forceful character could not escape numerous conflicts with the intendants and bishops with whom he was obliged to divide his authority, and after ten years of service he was recalled to France (1682).

*Frontenac,  
great governor*

The last years of Frontenac's régime were marked by bitter quarrels with the bishop and intendant, which turned largely on a difference of opinion as to the governor's policy toward the fur traders and his relations with the Indians. All parties concerned sent voluminous reports of these differences to the king, until the latter, driven to distraction by these unseemly controversies, resolved to recall his impetuous governor. But in 1689, when the first great struggle began between England and France over their dominions in America, Frontenac was returned to the scene of his earlier labors and troubles,

*End of  
Frontenac's  
régime*



and against great odds he managed to preserve the territorial integrity of the French possessions in North America, revive their trade, and force the Iroquois to keep the peace.

*Population  
growth*

At the close of the French régime the inhabitants of New France numbered approximately 65,000—about one-twentieth of the estimated population of the thirteen British colonies, which by this time were compactly established on the narrow Atlantic seaboard. It had proved impossible to maintain the encouraging rate of immigration which marked the first ten years of direct royal control. Moreover, although this small population was spread over a territory far too extensive to hold, national pride prevented the government from relinquishing territory which its adventurous sons had discovered and explored. Hundreds of French settlers, lured by the larger profits and the more adventurous life of the fur trader, disappeared each year into the wilderness.

*Government of  
New France*

The government of New France was a centralized paternalistic autocracy, centered in Versailles. Local government was totally lacking. Supplies, settlers, and even wives for these pioneers were furnished by the same benevolent government which regulated all trade and industry so meticulously as to deprive most of the population of initiative and self-reliance. The Sovereign Council fixed the prices of imports; the accounts of merchants were open to rigid governmental inspection; bad debts could be appealed to the council for settlement; and minute regulations were made for both the import and the export trade of the colony. Inspectors supervised weights and measures, regulated the handicrafts, and fixed the price of bread. Domestics were prohibited from leaving their masters. Revenues often were farmed out to the highest bidder, and many occupations and transactions were subject to an irritating system of licenses. Justification for these measures was found in the argument that without them the struggling colony could not have been kept alive.

The political history of New France virtually ended in 1755. In the few remaining years of the French régime in Canada, military and not political problems were the all-absorbing issues in Canadian life.

*Church and  
State*

French Canada was built on the theory of a close union of Church and State. Though this arrangement did not always provide a harmonious combination, the Roman Catholic Church became one of the most powerful agencies in French-Canadian life.

*Récollets and  
Jesuits*

The earliest explorers erected crosses alongside the royal insignia, and beginning with the seventeenth century priests and monks struggled against most discouraging odds to convert the heathen Indians to the Catholic faith. On June 24, 1615, the day consecrated to St. John the Baptist, who later became the patron saint of Catholic Canada, Fathers Jamay and Le Caron celebrated the first mass in the province of Quebec. The Récollets arrived in 1615, and the Jesuits made their appearance ten years later. Their importance as agencies

for the extension of French influence in North America, and their zeal and devotion to their religious duties, have already been referred to. Their record is all the more creditable because the French government frequently neglected to support the missionaries who were such important aids in the development of the French colonial empire.

By 1620 a Franciscan friary had been projected near Quebec for the brethren of the order and their Indian converts. Montreal began as a settlement consecrated to the Blessed Virgin. Mission after mission arose as the frontier of French Catholic influence moved steadily westward. Many mission stations were destroyed, and their priests and converts cruelly tortured, in the numerous Indian wars which naturally resulted from French expansion. So disastrous were the consequences of these raids that, from a temporal viewpoint, it must be said that missionary activities ended in failure.

*Mission  
stations*

In 1658 François de Laval was appointed the first bishop and vicar apostolic of New France, and in him the Church of Canada found its ablest and most aggressive champion. In 1674 Pope Clement X established the diocese of Quebec, which included within its jurisdiction all French possessions in North America, with Laval as bishop. From the time of his landing in Quebec, in 1659, Laval never wearied of his labors for the Church and for his flock. He fought for the rights of the Church and of the inhabitants; he battled with governor and fur lords alike over the evils of the liquor traffic with the Indians; and in a short time he became the dominating figure of the Sovereign Council. His interest in education led to the founding, at Quebec, of the seminary from which Laval University later evolved. In 1668 Laval virtually forced the summoning of twenty representative colonists to Quebec to consider the whole question of the liquor traffic and its bearing upon the fur trade. In this "Brandy Parliament," the nearest approach to a representative body in the history of New France, and a gathering which might well have established a precedent for the development of representative institutions, all the familiar arguments for and against the liquor traffic were assembled, attested by the Sovereign Council, and communicated to the king. During Laval's régime notable progress was made in consolidating and extending the religious activities of the colony.

*Laval, great  
bishop*

As pointed out earlier, the bishop was not only the head of the ecclesiastical system of the colony, but he also sat on the Sovereign Council as the co-equal of the governor and the intendant. The Church also became the greatest landowner in New France. It controlled about one-fourth of the total area granted for settlement, and occasionally made great efforts to introduce colonists to develop these estates. In many localities the estates of the Church were by far the most valuable and also the best managed. Royal grants helped to fill the treasury of the Church, and after 1667 tithing was fixed by law.

*Economic  
position of  
Church*

As the colony developed, the number of parishes was gradually

*Parish*

extended, and the parish became the unit for the keeping of vital statistics, for the administration of justice, and for the raising of the militia. The parish priest was the unchallenged leader of his flock in practically every field of human activity, and he exerted a tremendous influence upon the minds and lives of his faithful parishioners. It was the church parish which became "the backbone of French-Canadian nationality."

*Church and education*

Education was the monopoly of the Catholic clergy and came under their direct and absolute control. Accordingly every effort was made to keep Protestants and Protestant ideas out of the colony. The masses of the people remained illiterate. There were no newspapers in the colony, and very few books, and over the latter the Church tried to exercise a careful censorship. Although Monseigneur de Pontbriand was the sixth and last Bishop of Quebec whose jurisdiction extended over the whole of New France, the Catholic Church did not lose its dominating influence over the lives of the French-Canadian population after the British conquest. French Canada, founded on the principle of a close union of Church and State, never drew a clear line of demarcation between ecclesiastical and political spheres of action, and to this day the Roman Catholic Church continues to be a most powerful factor in every phase of life in French Quebec.

*Canadian feudalism*

To promote the economic development of New France, large tracts of land were granted to nobles or seigniors, with the understanding that they, in turn, would assemble tenants on their estates for the settlement of the colony. Thus was introduced into the New World a modified form of the feudalism of the Old. The seigniorial system was both a natural and a logical arrangement for the new colony. In the first place, feudalism was still the recognized basis of land tenure and social stratification in the mother-country, and in the second place, such a feudal system seemed to offer the best opportunity for knitting the struggling settlements of France together under a system of control sufficiently coördinated to enable the small number of colonists to defend themselves effectively against both red and white enemies.

*Decayed feudalism of Old France*

Feudalism in Europe originally involved the granting of tracts of land by the landed class to their followers in exchange for a personal allegiance which involved the performance of military service under the lord's banner in time of war. By multiplying this process of land grants many times (the process of sub-infeudation) a great and complicated hierarchy had been created, having its apex in the king, to whom even the most powerful lord was supposed to render service and fealty. In France, however, by the middle of the seventeenth century the older virulent feudal structure had begun to disintegrate before the rise of the royal power, and the employment of mercenaries experienced in the methods of modern warfare was taking the place of the old feudal levy. Military services became



less important and were supplanted by other minor obligations, while the feudal nobles, instead of living on their estates and supervising the activities of their vassals, preferred the pleasures of an absentee landlord system which enabled them to bask in the smiles of royal favor at the brilliant Court of Versailles.

When this decayed form of French feudalism was introduced into New France, it acquired new vigor. The old personal bond between lord and vassal was revived, and the obligation of military service gained new significance in a colony planted in a wilderness and surrounded by enemies.

*Its revival in  
New France*

It is probable that the first seigniories in New France were granted prior to 1627. Under Richelieu's Company of New France about sixty seigniories were created, although many of their owners never came to Canada. Later some twenty-five officers of the Carignan-Salières regiment were made seigniors, and as such received grants of land on Canada's most vulnerable frontier along the Richelieu River.

*First seigniories*

Seigniors were expected to serve as real-estate agents for the king, and to promote the development of his colony. The seignior swore fealty and homage to his sovereign lord, registered his seigniority at the royal office in Quebec, agreed to reserve a certain kind of lumber from his estate for the royal navy, and undertook to settle his holding with prospective laborers and farmers. The seignior generally made a small payment to the king at the time when the feudal grant was made, although sometimes this payment was entirely remitted. He was expected to render military service in time of need, but this obligation was never specifically prescribed. When seigniories changed hands a small rent was due the king. The size of these feudal holdings ranged from one or two to 1000 square miles, but, large or small, seigniories were always laid out in the shape of oblongs, facing a river.

*Seignior*

Seigniories were subdivided among feudal tenants, or *habitants*, whose holdings usually averaged from 100 to 400 square *arpents*.<sup>1</sup> The services and the rents which the *habitant* gave in payment for his land were neither uniform nor burdensome. First of all, the *habitant* paid the *cens*, which amounted to a few *sous* for each farm. At the time when he received his grant the *rentes*, involving annual payments of either money or produce, were determined. These usually consisted of donations of a few fowls or bushels of grain on St. Martin's Day (November 11), one of the numerous festival days of New France. The *lods et ventes*, another feudal obligation of the *habitant*, involved a payment to the seignior, usually fixed at one-twelfth of the estimated value of the holding, but this was made only when the land of the *habitant* changed hands other than by direct descent in the family. Because of the large size of French-

*Habitant*

<sup>1</sup>A square *arpent* was a little more than an acre.

Canadian families, which practically always made a direct heir a certainty, such payments were rarely collected.

*Feudal dues*

Since the seignior had a monopoly of the mills, ovens, wine-presses, and other necessities on the seignior, the *habitant* was expected to pay for the use of these facilities. These dues, known as the *banalités*, amounted to very little in actual practice, often were ignored, and sometimes proved more burdensome to the owner, who was expected to maintain this service, than to the *habitant* who was expected to use it. By the *corvée*, as applied in Canada, the *habitant* was usually required to work three days a year, and never more than six, for his seignior, but such enforced labor was always commutable into a fixed money payment at the rate of forty *sous* a day. As a matter of fact, the obligation resting upon the seignior to feed his workers made the *corvée* a prerogative of rather doubtful value. There were numerous other seigniorial prerogatives, such as the right to exact contributions of timber, stone, etc., from the tenants, but these were of little importance and often were totally ignored.

*Judicial aspects of Canadian feudalism*

The judicial powers granted to some of the seigniors likewise were limited, and in every case an appeal lay from the feudal court to the royal judge. These judicial powers were seldom exercised, for they constituted a burden rather than a source of income. Moreover, the amount of jurisdiction granted varied with each seignior, and there was no relation whatsoever between the range of judicial powers which could be exercised and the size of the seigniorial estate.

*Status of habitant*

It is evident that Canadian feudalism was never burdensome. The seignior usually had "an abundance of acreage and little cash," and the *habitant* never reached in the social scale the degraded level which marked the lives of many of the peasants of continental Europe at that time. The *habitant's* duties were light, and the royal intendant was always on hand to see that he was not abused by a grasping seignior.

*Decline of Canadian feudalism*

In spite of many efforts put forth by the royal authorities to compel sub-infeudation on pain of forfeiture of the estate, many seigniories remained devoid of settlers. The *habitant*, moreover, frequently deserted his holding for the more adventurous and more immediately profitable life of the wilderness and the fur trade. By 1712, although several million *arpents* of land had been granted under seigniorial tenure, only about 50,000 were actually under cultivation, and most of these lay along the north shore of the St. Lawrence River from Quebec to Montreal. By the close of the French régime Canadian feudalism had fallen into a state of decay. It had outlived its usefulness, and after the control of Canada passed into British hands the whole feudal system fell into confusion. Nevertheless, it had been useful in welding New France into a homogeneous colony, and undoubtedly it increased the defensive powers of the province at a time when military considerations were of primary importance. On the other hand, because of its paternalistic char-



acter, feudalism retarded the political and material development of the colony. Some of the problems and disputed claims arising from this early seigniorial system remained troublesome issues in Canadian politics until after the middle of the nineteenth century.

French Canada stretched for miles along the St. Lawrence River, which served at once as the gateway to Canada and as the one great channel of communication for the settlers and traders scattered along its banks. Three-fourths of the population of New France lived on farms, and by 1760 there was an average of about five *arpents* of cleared land for every person in the province. Practically all of the cleared land lay along the St. Lawrence River between Quebec and Montreal, and most of it was located on the north shore. Land grants ran back from the river front in thin parallelograms, which grew ever thinner as farms were divided according to the law of equal inheritance for all children. As all of the heirs insisted on getting a frontage along the river, the result was that the back country was neglected and crop rotation became impossible. The homes of the *habitants* came closer and closer together, until the river front resembled a single village street of whitewashed low timber or stone houses.

*Economic conditions*

Agricultural methods were extremely primitive. A few *arpents* were planted in hay, the land lying farther back was plowed and sown once a year, and behind this strip lay pasture or timber land. Besides wheat (the exports of which actually reached nearly 200,000 bushels in one notably favorable year before the middle of the eighteenth century), hemp, flax, tobacco, garden truck and other grains were produced. The average yield of wheat varied from nine and a half to fourteen bushels an acre. Farm animals were usually of poor stock. No attempt was made to use fertilizers or to introduce any system of crop rotation. Seeds were generally poor, drainage facilities were totally lacking, and most of the farm implements used were primitive and home-made. The long winters and the uncertainties of the Indian wars encouraged idleness and neglect of farm activities; and when the men were called to military service, the care of their farms fell to the women and children.

*Agriculture*

The industries of New France made little progress, even at those times when some of them received temporary encouragement from the government. A little iron was produced, and some lumber was exported. The milling industry suffered from poorly equipped mills, and every craft was minutely regulated and regimented into guilds. Trade was rigidly supervised, and was so hampered by taxes and monopolies that to the end of the French régime exports remained small and consisted almost entirely of raw materials.

*Industry*

From a primitive system of barter, in which moose and beaver skins constituted a standard of exchange, French Canada gradually became familiar with a more complicated currency. French coins were usually over-valued in Canada by royal decree, in a more or less futile attempt to keep them from passing out of the country.

*Trade and currency*

Copper and silver were very scarce, and at various times wheat served as legal tender for the payment of debts. Successive ordinances were enacted in a vain effort to control or circumvent the intricate workings of economic laws affecting the currency. By 1713 1,600,000 *livres* of "card money" had been issued, but only part of it was ever redeemed, and then at a great discount. The close of the French régime, as the difficulties of the government multiplied, was marked by a veritable orgy of monetary inflation, and by 1759 about 80,000,000 *livres* of paper money were in circulation. After this date no paper money was ever redeemed by the French authorities. Prices rose tremendously, and at times firewood was dearer in Quebec than it was in Paris. Grasping officials, like Bigot, the last of the intendants, sold grain in 1757 at a profit of 400 per cent.

Government  
regulation

Repeated efforts were made to regulate the trade of the province by price-fixing and by the establishment of public markets to which all goods had to be brought several times a week for sale. House-to-house selling was prohibited; bread prices were fixed by governmental action several times a year; workshops and handicrafts were inspected; and exporters had to make detailed reports on the nature of their shipments and their prices. Imports were supervised as carefully as the export business. Yet, in spite of all these efforts, the illicit trade with the Indians and with the English steadily increased.

Social system

At the head of the social order in New France were the members of the official class, with headquarters at Quebec, the colonial capital. Here the governor, officials, traders, merchants, lawyers, and some of the wealthier landholders assembled to enjoy the gayeties of a miniature Court of Versailles. The winter seasons in this wilderness capital were especially lively, with a round of dances, banquets and occasional dramatic performances—joys of life in which some of the clergy participated, but which others sternly condemned. Only at Montreal and Three Rivers were the other settlements populous enough to permit similar social revelries, and then only on a much less pretentious scale.

Status of  
seignior

Outside the towns the seignior's house was the center of social activity and influence. The seigniorial system added much to the social life of New France. It was a notable occasion when the seignior appeared, "without sword or spur, his head uncovered and on bended knee," to swear fealty to his royal master. The first day of May was dedicated to the May Pole ceremony, when all the *habitants* appeared at the lord's house to do him honor and to partake freely of his refreshments. There were other feudal and church holidays, meticulously and joyously observed, often to the detriment of the *habitant*, and with a depleting effect upon the fortune of the seignior, who on these occasions was always expected to play the rôle of the gracious and generous host of his people.

Seignior and  
curé

The seigniory was sometimes co-terminous with the parish, and the *curé* frequently lived and conducted services at the home of the

seignior. Where church buildings existed, the seignior was entitled to occupy a special pew at all services, and in religious processions he might march immediately behind the parish priest. At the administering of the sacraments the seignior enjoyed special favors, and when he died his remains were usually buried under the floor of the church. Many seigniories were also held by the Church, or by one of its religious orders, and these were frequently the most prosperous and best-managed estates in the vicinity.

New France never suffered from a rigid caste system, for frontier conditions alone would have made this impossible. Possession of a seigniorial estate did not automatically raise the holder to the rank of the nobility, since that required a special royal grant. Moreover, by the law of equal inheritance a deceased man's rank passed equally to all of his children, and this prevented the development of a small privileged class. It was possible for a *habitant* to become a seignior, or *vice versa*, and many members of the official class in New France were men who had risen from the ranks. The *habitant* never felt himself in a particularly humiliating social position, whereas many seigniors, on the other hand, found it necessary to engage in trade or to perform manual labor in the fields alongside their *habitants*, in order to keep the wolf from the door.

*Social  
classes*

The *habitant* lived in a stone or timber house, some twelve feet high, with a single door and few windows, a projecting roof, and dormer windows under the gables. His house usually stood close to the road, without lawn or trees to beautify the approach. The houses of French-Canadian peasants had two or three big rooms, and smaller attic chambers used for bedrooms. Each spring the *habitant* applied a coat of whitewash to the outside walls of his dwelling. Behind the house there was generally a small storeroom, and behind this a log stable for the farm animals. Sometimes there was also a specially built house for the preservation and storing of potatoes and other vegetables, although more often vegetables were preserved by the simple process of burying them. Hay and straw were stacked in the fields behind the house. In the rear was the bake-oven, constructed of rocks and clay, where the family baking was usually disposed of for a week or two at a time.

*Life of  
habitant*

The living-room, with its crude furniture and large fireplace, and with kitchen utensils hung about in it, served as sitting-room, kitchen, and dining-room. The adults slept in small bedrooms adjoining this larger room, while the children, of whom there was usually a large number, slept in low rooms upstairs in the attic. The interior of these cottages was as a rule spotlessly clean, with a colored rug spread on the living-room floor, a number of brightly scoured pots and pans hanging over the fireplace, and Catholic ornaments and holy pictures hanging on the walls or resting in the corners of the living-room.

*His home*

The *habitant* lived a pious, frugal, carefree life, without luxuries,



*Dress*

but also without great deprivations, and with little concern about the future. He wore home-made clothes, produced by the women at the family spinning-wheel and loom. Much of his clothing was made of fur, and on his feet he wore deerskin moccasins. In the warmer seasons he went barefoot, and usually wore a straw hat. During most of the year, however, his head was covered by a knitted cap of many gay colors. Only on Sunday, when he went to mass with his gayly dressed wife and daughters, did he exchange his long crude coat and wide trousers for the better suit he reserved for such occasions.

*Food*

Food was rough, but wholesome. It consisted of coarse wheat and rye bread, corn cakes, salted meat, smoked fish and game for the winter months, and fish for the special days of the Catholic Church calendar. Pea soup was almost a national dish, although beans and potatoes, as well as melons and berries, were in common use. Sour milk and brandy were the national beverages, and home-grown tobacco was smoked almost incessantly by young and old alike.

*Joy of living*

It was in the long winter season that the *habitant* nourished his pleasure-loving soul. From October to May the social season was in full swing, with much house-to-house visiting, dancing, card-playing, and other amusements, and with the ever-present fiddler contributing much to the gayety of every occasion. The legends that arose from these gatherings have become part of the folk-lore of Canada, and the songs of these early French Canadians now are part of the folk-music of the Dominion. Holidays were many—too many for the good of the colony—and they were celebrated with the utmost punctiliousness and enthusiasm. Sometimes neighbors gathered to husk one another's corn, and these harvest festivals became real social occasions. Each Sunday after mass the members of the parish lingered near the church to exchange the latest gossip about their neighbors and their crops, and to listen to such decrees of the government as might be read to them.

*Women of  
New France*

The life of pioneer women at all times and in all places has been notoriously hard, and New France was no exception. Poverty, toil, and care were the lot of most of the wives of the Canadian *habitants*. Frontier conditions compelled them to work in the fields alongside their husbands, and to share the dangers and sufferings of Indian attacks. The men of New France were in a great majority throughout the French régime in North America. Talon had urged the payment of bounties for marriages, and fines were imposed on obstreperous bachelors who refused to assume the responsibilities of matrimony. A paternal king shipped scores of *filles du roi* into the province to meet the shortage of marriageable women in Quebec. Some of the new arrivals were adventurous damsels of loose character, others came from French orphanages, but mostly they were sturdy peasant girls no worse and no better than the average women of their class in France.

Fourteen or fifteen years was considered the marriageable age for

girls in New France, and eighteen or nineteen years for men. Speedy courtships were the rule, and for a time the governor of New France, in order to encourage family life, endowed each newly-married couple with a cow, a bull, a hog, a sow, a cock, a hen, two barrels of salted meat, and a little money. Dowries were expected in New France as they were in the mother-country, and although they sometimes amounted to no more than a barrel of bacon they were carefully specified in the marriage contract. French-Canadian families have always been large, the number of children ranging from eight to eighteen. The responsibility of caring for this numerous brood fell largely upon the mother, who reared her offspring in the stern faith of the Catholic Church and taught them the needs and duties of pioneer life. The endless toil and heroic sacrifices of the women of New France are still largely unchronicled. Not the least important work of the mothers of New France was the preservation and development of the folk-lore and the folk-songs of the French people in the New World environment.

*Family life*

The only instances of feminine levity in French Canada which are comparable in any way with the brilliant feminine types of old France in the seventeenth and eighteenth centuries are to be found in Quebec, the colonial capital, and to a lesser extent in Montreal. In Quebec this gayety reached its height during the closing years of the French régime. Peter Kalm, a Swedish naturalist who visited Montreal, Three Rivers, and Quebec in 1749, found the women of French Canada handsome, well-bred, and virtuous, "with an innocent and becoming freedom." They were keenly interested in balls and social gatherings, and especially fond of fancy hair-dressing. The ladies of society in Quebec curled and powdered their tresses with great care for hours at a time, and ornamented their heads with gay aigrettes. Sunday, of course, was the day on which feminine finery was displayed at its best. For their daily attire the women wore little jackets, short petticoats "which hardly reach half the leg," and high-heeled shoes. Flirtations were of common occurrence among the young ladies of higher rank in Quebec, and scandals were by no means unknown. Many of the eligible girls of the capital rose at seven, dressed till nine, and then spent most of the day sitting and sewing at a window overlooking the street. It was not unusual for an attractive girl of eighteen to have as many as twenty suitors.

*Life in Quebec*

In any discussion of the rôle of women in New France the labors of the nuns must not be overlooked. French Canada was well supplied with women's religious orders, such as the Ursulines, the Nuns of the Congregation, and the Grey Nuns. The work of these sisters of mercy was devoted largely to teaching, nursing, and developing hospitals. The first hospital in Canada was ready for use in 1638, and in the following year the Archbishop of Rouen sent over three sisters from the Hospital Nuns at Dieppe to take charge of the enterprise. The first Ursuline convent in Canada was completed in 1642. The

*Nuns*



main occupation of this particular order of nuns was the education of French girls. Others did excellent work among the Indian population, and made great progress in learning the Indian dialects in their efforts to render greater service to the natives.

The *habitants* and their families lived the life of conservative, pious, honest peasants, and thus many of their descendants still live in present-day Quebec. Often poor, the *habitant* was always faithful to the Catholic Church, the leadership of which he accepted in all phases of life. He married early and begat large families. Usually he was content with his lot, and more often than not he was happy with the blessings which Providence had given him.

Coueurs-  
de-bois

But not all of the *habitants* of early Canada were content to remain on the land. The profits of the fur trade were so alluring, and the call of the forest was so persistent, that many preferred to exchange the monotonous existence of the peasant farmer for the romantic, adventurous career of the *coureur-de-bois*. All the devices and penalties which an absolute government could invent would not keep these roamers of the forest, these "dare-devils of the wilderness," at home. Year after year hundreds of men deserted their lands, and often their families, to engage in the profits of an illicit fur trade. In 1680 an intendant reported that "there is not a family of any account but has sons, brothers, uncles, and nephews among these *coureurs-de-bois*." Freed from the restraints of organized society, these adventurers and traders often married Indian squaws and became the fathers of dusky half-breeds.

Fur trade

The fur trade remained the heart of the economic system of New France. Each summer a whole fleet of Indian canoes came down to Montreal. An Indian birch-bark canoe, usually twenty feet long and two feet wide, could carry from 800 to 900 pounds, in addition to a crew of four men. White traders built canoes of larger capacity, and later introduced the *bateaux*, which were long and narrow boats, flat-bottomed and high-bowed, built of cedar and propelled by oars and poles. Laden with furs, these craft descended the rivers and lakes each year to dispose of the season's catch. Tents were pitched, and trade began amidst the holding of Indian councils, smoking the peace pipe, and heavy drinking. In Montreal these gala days continued for several weeks, with less elaborate markets and fairs at the smaller posts. After a few weeks of unbridled revelry and conviviality the trappers and traders, laden with new stores of supplies and brandy for the Indian trade, departed again for the solitude of their forest homes.

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### CHAPTER III

## ANGLO-FRENCH RIVALRY FOR NORTH AMERICA

*Early rivalries* ALMOST from the beginning of their colonizing efforts in North America, England and France watched the development of each other's plans with jealous hostility. Long-standing enmities, arising from the rivalries of European diplomacy, were transferred to the New World, where the interlocking and overlapping of colonial projects furnished new causes for conflict. From the early part of the seventeenth century there were raids by the English and French upon each other's settlements along the Atlantic coast. As early as 1613 English raiders from Virginia tried to destroy the French post of Port Royal in Acadia, and nine years later the King of England undertook to promote an English colony in this region, in spite of its prior occupation by the French.

*Anglo-French rivalry in Europe* For nearly a century (1689 to 1763) England and France were diplomatic rivals in the complicated politics of Europe, and for a third of the century they were actually at war. Indeed, the intervals of peace between these Anglo-French wars can be considered hardly more than periods of armed truce. Without going into detail concerning the many causes of these European wars, we may point out that they would have occurred even if there had been no colonies in North America, and that the colonial phase of these struggles was but a reflection of larger contests in Europe. It was logical and inevitable that both parties, once hostilities had commenced, should endeavor to carry the war into every part of the world where there were vulnerable spots in the enemy's colonial dominions.

*American aspect* There were, however, several distinctly American or colonial causes for the four inter-colonial wars which were waged to determine the mastery over North America. First of all, there was the overlapping of colonial claims. For hundreds of miles along the St. Lawrence River and the New England frontier the boundaries of New France touched, and frequently overlapped, those of New England, and this proximity provided the cause for friction, rivalry, and bloody struggles in defense of the disputed frontier.

*Struggle for interior* Beyond the Alleghenies, stretching from the Great Lakes to the Gulf of Mexico, lay the great Mississippi valley. England claimed it, by virtue of discovery and explorations, and the charters granted to seven of the English colonies along the Atlantic seaboard contained "sea-to-sea" provisions; although the mysteries of North American geography were still largely unsolved, it always was contended that

the westernmost limit of these colonial claims was at least the Mississippi River. France, because of the explorations of her pioneers such as Marquette, Joliet, La Salle, and others, likewise asserted jurisdiction over much of this territory. She had begun early to erect posts in this region, and, as has been shown, it was her well-established policy to consolidate her claims in the Mississippi valley with her holdings in the St. Lawrence valley, and thus limit the area of British influence to the narrow Atlantic coastal plain. So long as the little English and French settlements were confined to the districts where they were first established, there was small cause for trouble; but before the middle of the eighteenth century the French and English frontiers began to overlap in the interior regions. It was then that both contestants tried to seize and fortify the headwaters of the Ohio River, the strategic point of approach to the Mississippi basin, and thus began the last great struggle to determine whether North America should develop as a predominantly Latin or a predominantly Anglo-Saxon continent.

Rivalry in the fur trade was another source of difficulty. From the earliest days of Canada's history, British fur traders tried by every possible means to divert the fur trade of the Great Lakes region from Montreal and Quebec to British posts. In this battle between the English and the French the former used rum to beguile and demoralize their Indian customers, while the latter relied on the appealing force of brandy. But the result was always the same, namely, the wholesale debauchery of the natives. English rum proved to be cheaper than French brandy, and though it was not of as good quality it nevertheless appealed to the Indians, who, for the sake of longer orgies of drunkenness, preferred quantity to quality. The fur trade was the key to the economic history of New France, the motive for much of its exploration, and an important cause of the deadly rivalry with France's English competitors.

*Rivalry over  
fur trade*

Early in the seventeenth century Great Britain gained control of Newfoundland, the fisheries of which passed under the supervision and jurisdiction of "fishing admirals" from Devonshire and London. In 1670 the Hudson's Bay Company, a great British trading corporation patronized by royalty itself, received a charter to trade in the vast undefined region around Hudson Bay, then known as Prince Rupert's Land. A rival British company, cutting in from the north on their fur preserves, naturally proved most exasperating to the French.

Discovered in 1610, by Henry Hudson in his search for a way to the South Sea, the Hudson Bay country had attracted little attention until 1668. That year marked a revival of interest in the fur trade on the part of certain Britishers, due largely to rumors of tremendous profits to be made from the fur business in New England, in the Dutch colony of New Amsterdam, and in New France. In 1668 Groseilliers, the associate of Radisson in exploring expeditions which had carried

*Hudson's Bay  
Company*



the French flag as far west as the present state of Minnesota, left the French employ because of alleged bad treatment, and offered his experience and his plans to a group of Englishmen. King Charles II of England, Prince Rupert, the royal cousin, and James, Duke of York, became seriously interested in the organization of a great English fur-trading venture in northern North America. Other notables, including the Earl of Shaftesbury, the Duke of Albemarle, and a number of London merchants supported a fur-trading expedition to the New World in 1668.

*Charter of 1670*

Only one of the two ships which set sail on this expedition weathered the gales of the Atlantic, but the survivors returned to England with a valuable cargo. The Merchant Adventurers of London now petitioned for a charter, which was granted in May, 1670. By its provisions the Company of Gentleman Adventurers, trading into Hudson Bay, virtually became feudal lords of a dominion as large as Europe. They were to seek a new way to the South Sea, and to become "true and absolute proprietors" of the vast territory the waters of which empty into Hudson Bay, with monopoly rights to the fish, furs, and minerals of the region. The company, which had such men as Prince Rupert and the Duke of Marlborough among its early governors, prospered from the start. It adopted a strictly business policy toward the Indians and in general treated them with scrupulous honesty. Forts and fur-trading stations were erected in the wilderness, and great stores of furs were shipped to England. In a few years shareholders who had begun with an initial investment of £10,500 were collecting large dividends, and by 1720 they were able to increase their capital tenfold by adopting the modern method of "watering" the stock. In 1920 the company, much altered in its organization and business activities, but still very successful, celebrated the two hundred and fiftieth anniversary of its founding.

*French and  
English  
fur lords*

Manifestly French interests along the St. Lawrence River were greatly disturbed by the appearance of these intruders who offered English competition for the fur trade, both to the south and to the north of their settlements. From time to time there was bloody fighting between the rival groups, for bold French Canadians occasionally ventured across the intervening wilderness to attack and plunder isolated fur-trading posts of the Hudson's Bay Company. At times it proved easier to stir up the Indians to do the bloody work. As early as 1673 Count Frontenac and Talon had keenly appreciated the danger of this English competition. From 1685 to 1697 there was sporadic fighting, and the little forts in the wilderness frequently passed back and forth from English to French hands with the changing fortunes of war. During these skirmishes both parties had the support of their home governments, and several naval battles were fought in the icy waters of Hudson Bay. But the British company managed to survive these darkest years, when it was beset not only by enemies in North America, but also at home by those who attacked its



monopoly powers. After 1713 the company began to boom. Its French rival, the "Company of the North," suffering repeatedly from a lack of governmental support and supplies, as also from Indian hostilities, never prospered.

Another important factor in the struggle between the English and the French for supremacy in North America was the Indian. Efforts were constantly being made to win his support and allegiance for the one or the other of the contestants. Of special importance were the Iroquois, strategically located along the southern shores of Lake Ontario, in a key position between the English and French settlements, guarding the approach to the West. The Iroquois served as the great middlemen in the commercial intercourse between the English at Albany, N. Y., and the Indian tribes of the West. Moreover, this remarkable Indian confederacy had perfected a political and a military organization which made it a powerful ally and a formidable foe. For years British agents and traders used their influence to incite the Iroquois to war against tribes farther inland, in order to break up the latter's fur trade with the French. The French, in turn, tried to lure the Iroquois from their British connections, sometimes by the gentle ministrations of Jesuit missionaries, sometimes by intrigue or war. From 1684 on, the chiefs of the Iroquois confederacy virtually acknowledged the suzerainty of the colony of New York, and accepted its protection. Indian relations like these inevitably involved the British and French governments in many of the troubles of their red-skinned allies. The story of these Indian relations is full of intrigue, violence, and treachery, and in many cases it is difficult to determine whether it was the British or the French who were the worst offenders. The frontier was in an almost continual state of excitement, due to raids and massacres which were the bloody consequences of these rivalries.

*Indian relations*

As has been suggested, there was enough in the colonial situation as it developed in North America to provoke conflicts between French and English settlers, so that desultory fighting, without any formal declarations of war, was of fairly common occurrence.

In 1689 the first of a series of four inter-colonial wars broke out. The spark came from Europe, where William of Orange, who had just ascended the British throne, launched a great alliance to restore the European balance of power and checkmate Louis XIV of France in his ambitious schemes for the extension of French influence and the expansion of French territory. The colonial phase of this war is known in history as King William's War. In this, as in later inter-colonial wars in America, the fighting was of two kinds. There were the usual military expeditions of a more formal nature against the recognized strongholds of the enemy; but owing to the wide distances between rival settlements, most of the fighting was in the nature of guerilla warfare, conducted usually by bands of Indians under white leadership. These murderous raids were the more terrible because

*King  
William's War*

they lacked the elements of control which are generally present in formal military expeditions.

*Nature of  
fighting*

King William's War was marked by a series of these frontier raids. The French governor, Count Frontenac, launched a number of attacks on the English frontier settlements of New York, New Hampshire, and Maine. Schenectady, a fortified town in the Mohawk valley, was totally destroyed in 1690. The town itself was burned to the ground and its inhabitants were either murdered or carried off as captives. Similar butcheries occurred at numerous other places along the frontier, and the record of English raiding parties which attacked the Montreal region is quite as bloody as that of their French opponents. In 1690 Sir William Phips, a wealthy Massachusetts shipper, led a naval expedition to Acadia and seized Port Royal in a bloodless encounter. After plundering the place, the expedition proceeded up the St. Lawrence River to take Quebec. But Frontenac dramatically refused to surrender the French capital, and Phips had to abandon the siege. In 1697 King William's War came to an end with the Treaty of Ryswick, which, so far as North America was concerned, left the Anglo-French situation unchanged.

*Queen Anne's  
War*

The opening of the next century witnessed a resumption of the hostilities. England and France again came to grips over the European balance of power which was threatened this time by a scheme virtually to unite the French and Spanish thrones. What is known in European history as the War of the Spanish Succession, is known in America as Queen Anne's War (1701-1713).

*Port Royal*

By 1703 the customary frontier butchery was well started, and it culminated in such acts of ruthlessness as the Deerfield (Massachusetts) Massacre of 1704. In 1710 an English fleet, carrying some colonial troops, started for Port Royal, and on October 16 the garrison, in dire straits and outnumbered five to one, surrendered to the British. The captured town was promptly renamed Annapolis.

*Quebec*

In the following year a British expedition of some seventy ships sailed from Boston for Quebec. On board were more than 5000 men with seven regiments of British regulars. This powerful armada, however, was commanded by incompetents and became lost in a fog. Eight transports and two supply-ships were dashed against the rocks in the treacherous St. Lawrence channel, resulting in the loss of nearly 1000 lives. The expedition was consequently abandoned, and Quebec rejoiced at what its inhabitants believed to be a miracle of deliverance in answer to their prayers and public fastings.

*Peace of  
Utrecht*

The war was ended by the Peace of Utrecht (1713), the first European treaty seriously to affect the geography of North America. Under its terms France surrendered all claims to Newfoundland, Acadia (Nova Scotia), and the Hudson Bay country. In addition, she formally acknowledged British suzerainty over the Iroquois. The provisions of the treaty of 1713 made the first rift in the great colonial empire of the French in North America. But Cape Breton Island and

the Ile St. Jean (Prince Edward Island) remained in French hands. Moreover, since no effort was made in the treaty to define the limits of Nova Scotia, its disputed boundary remained a source of friction and strife for several decades longer.

The third inter-colonial war was known as King George's War (1745-1748); in Europe it was called the War of the Austrian Succession. After losing Nova Scotia, in 1713, France built the powerful fortress of Louisbourg on Cape Breton Island. The best French engineering talents were utilized to plan the fortifications and land-batteries of this "Gibraltar of the West," commanding, as it did, the entrance to the St. Lawrence River, and intended as "a pistol held at England's head." In time of war it was expected that Louisbourg would serve as a place of refuge for French ships, and as a base of operations from which expeditions could be launched against the British colonies to the south. In the fort were places for 148 cannon, but unfortunately for the French cause the garrison got little training in the use of these formidable batteries.

*King George's  
War*

In 1745, due largely to the vision of Governor Shirley of Massachusetts, an expedition of New Englanders was organized for the reduction of Louisbourg. Colonel William Pepperell, a rather grandiose New England gentleman without military experience, led a force of four thousand New England militia, many of whom were actuated by the desire for plunder rather than for military glory, in what seemed a foolhardy effort to reduce the greatest military stronghold in America. One historian has described the operations around Louisbourg as "one of the most eccentric sieges ever known." In the attacking party were New England farmers, fishermen, merchants, and clerks; by all the rules of organized, scientific warfare the assault should have failed. Instead, the New Englanders succeeded in effecting a landing west of the town, and pulled their cannon through the marshes to within sight of the fortifications. Some of the bombarding of the French fortress was actually done with captured French cannon. After a forty-seven days' siege Louisbourg, poorly commanded, and with fortifications which were not yet completed, surrendered to the New Englanders. Pepperell became a baronet, and the members of his successful expedition divided much prize money taken from French ships which had been lured into the British trap. A French naval force was sent to the relief of Louisbourg in 1746 and 1747, but it failed in its mission and thus gave further proof of the importance of sea-power as a factor in determining the fate of New France.

*Capture of  
Louisbourg*

The Peace of Aix-la-Chapelle (1748) restored the *status quo ante bellum*, a settlement which involved the restoration of Louisbourg to the French, to the great disgust of the New Englanders. In 1749 New England was indemnified by the British government for the expenses of the siege of 1745. Louisbourg was promptly rebuilt by the French, and by 1758 its walls held 212 guns and seventeen mor-

*Peace of  
Aix-la-Chapelle*



tars, with others in reserve. Roads were built and a serious effort was made to colonize an agricultural population in the vicinity of the fort.

*Attempts to  
anglicise  
Nova Scotia*

To offset the menace of Louisbourg, the British built Halifax, in Nova Scotia. In 1749, three years after its founding, the town had a population of nearly 4000, a result of the British policy of anglicising Nova Scotia in order to counteract the influence of the French Acadian population. The latter remained under the control of their French priests, and steadfastly refused to take the oath of allegiance to Great Britain.

*Armed truce*

The years which intervened between the Treaty of Aix-la-Chapelle and the outbreak of the French and Indian War six years later were hardly better than a period of armed truce, with both contestants preparing for the next and final struggle. By the middle of the eighteenth century both the British and the French were ready to assert their claims to the region beyond the Alleghenies, and it was over the struggle for the possession of the forks of the Ohio River, controlling the entry to the Ohio and Mississippi valleys, that the last of the inter-colonial wars was fought.

*De Blainville*

Before the middle of the century Virginians began to promote land companies in order to secure vast grants in the vacant lands along the Ohio River. In 1750 Christopher Gist, an employee of the Ohio Land Company, examined the Ohio country with a view to determining its possibilities for settlement. To offset these plans, Celoron de Blainville, with a party traveling in twenty-three large canoes, left Montreal in 1749 to consolidate the French influence among the Indians of the Ohio valley, and to plant leaden plates and make inscriptions on the trees. By these methods the French hoped to reaffirm their ownership of the disputed area. De Blainville floated down the Ohio River as far as the mouth of the Great Miami River and returned by way of this stream and various portages to Lake Erie. During this expedition the French discovered that the Indians were very friendly toward the British traders, and promptly decided upon vigorous measures to hold this interior country under French control.

*Race for  
control of Ohio*

A race for the control of the source of the Ohio River followed. The French determined to erect a fort at the site of the present-day city of Pittsburgh. Governor Dinwiddie of Virginia, a man of considerable vision and a thorough-going expansionist, promptly dispatched young George Washington, a Virginia surveyor, formally to warn the French that they were trespassing on British possessions. The French refused to withdraw, and proceeded with their plans to construct Fort Duquesne at the fork of the Ohio River. Again Washington was sent with a force of Virginia militia to drive out the intruders, but on the occasion of his second visit he himself was compelled to surrender to a superior force, and the French were able to continue the building of their little fortification.



Thus on the banks of the Ohio River the last of the inter-colonial wars had its beginning. It soon spread to Europe and to other parts of the world where the two main contenders had possessions. In 1755 Great Britain sent General Braddock, with a force of seasoned British veterans, to recapture Fort Duquesne. But Braddock, skilled in the arts of formal warfare, knew little about the frontier methods of fighting, and refused to learn anything from such colonials as George Washington and Benjamin Franklin who were attached to his expedition. Moreover, colonial troops and British regulars had little in common, and not much love was lost between them. After a tedious summer march through Pennsylvania, Braddock's expedition was disastrously defeated by the French and their Indian allies in the forests near Fort Duquesne. Almost immediately the Indians, ever anxious to be on the winning side, went over in large numbers to the French, and soon the torch and bloody tomahawk of the savage were at work among the cabins of the frontiersmen who had ventured too far beyond the settled regions. The frontier of settlement at once receded behind the Appalachians.

*French and  
Indian War*

In the year of Braddock's defeat occurred the deportation of the French Acadians from their homes in Nova Scotia. After the transfer of this region to England in 1713, the Acadians were granted one year's time in which to move from their old homes if they desired to do so. The French government wished them to migrate to Cape Breton Island, but the Acadians stubbornly refused to go. Moreover, they were equally persistent in their refusal to take the oath of allegiance to their new British governors. A pledge of neutrality was the greatest concession they were willing to make as a result of the new conditions in which they found themselves. Because Great Britain granted the Acadians the full enjoyment of their religious rights, many French priests, subject to the authorities at Quebec, continued to live and work among them.

*Deportation of  
Acadians*

With the renewal of hostilities between England and France, the Acadians, from the point of view of the British of Nova Scotia, were at best dangerous neutrals, menacing Halifax, the British naval base, and likely to be used by the French as "a thorn in Great Britain's side." After rejecting a final opportunity to take the oath of allegiance, in 1755 the Acadians were deported by order of Governor Lawrence and his council, and without the previous knowledge or consent of the British home government.

*Military  
necessity*

Herded together in their churches, to some extent by treachery, in October, 1755, the Acadians were loaded on transports and distributed among the ports of the British colonies to the south. About 6000 of them were forcibly expelled, and their farms and houses burned. Approximately one-third were deported to South Carolina, and many eventually made their way to French Louisiana. The American poet, Longfellow, used this incident as the theme of his tragic poem, *Evangeline*, and by his beautiful and sympathetic treat-

ment made it one of the most widely-known events of American history. From the British viewpoint, and according to the stern law of war, the deportation was justified as a military necessity.

*French victories*

The period from 1754 to 1757 was one of almost unbroken disaster for the British cause in North America. In 1756 the able French commander, the Marquis de Montcalm, embarked at Brest to take command of the defenses of New France. In spite of the constant interference of the vain and incompetent Vaudreuil, the governor at Quebec, and Bigot, the corrupt and grafting intendant, Montcalm made a remarkable record as an efficient military commander. In August, 1756, he surprised and captured Fort Oswego on Lake Ontario. In the following year he seized Fort William Henry, at the southern end of Lake George, and in July, 1758, he defended Ticonderoga, the gateway to Canada along the Lake Champlain route, and compelled the retreat of British and colonial forces, under Abercrombie, which outnumbered his men four to one. Western New York, the strategic route through Lake Champlain, was now under French control.

*William Pitt,  
organizer of  
victory*

By 1758, however, the tide of battle began to turn, for the crisis in British fortunes had brought William Pitt to power in England. As prime minister he not only began to drive corruption, graft, and inefficiency from the British government, as well as from the navy and the army, but with rare statesmanship he began to plan a series of campaigns designed to strike the vulnerable spots of the French Empire in every part of the world. The fighting in Europe he left to his brilliant ally, Frederick the Great of Prussia, whom he kept supplied with a steady stream of British gold. Pitt became the "Organizer of Victory." He perceived at once that England enjoyed a great advantage over her enemy in the matter of naval power, and at the same time realized that sea-power would be the decisive factor of the war.

*British victories*

Deserving young officers were now promoted to positions of high command in the English armies and sent to America. Jeffrey Amherst was forty years of age, James Wolfe but thirty. Pitt planned the concentration of large supplies and forces at Halifax, and prepared for a new attack on Louisbourg. In 1758 a British fleet mounting nearly 1650 guns left Halifax for the reduction of the French citadel. Land forces, consisting of 12,000 men, were placed under the command of Amherst. The French defenders, under the Chevalier de Drucour, were outnumbered four to one, and the British fleet alone would have been powerful enough to strangle Louisbourg into submission. A landing was effected, and after a siege of forty-eight days Louisbourg fell into British hands. In 1760, after the fall of Quebec, the fortress was completely demolished. In the same year (1758) Fort Frontenac (Kingston) and Fort Duquesne surrendered to the British. The latter was renamed Fort Pitt.

The next great battle was fought for Quebec, the center of French

power in North America, and the fall of Louisbourg prepared the ground for this last assault. Montcalm fully appreciated his precarious position, and the close of 1758 found him feverishly perfecting the defenses of the city. In this task he was constantly hindered by the governor and the intendant, and the whole corrupt civil service, who repeatedly interfered with the development of his plans. "What a country," Montcalm wrote home in despair, "where rogues grow rich and honest men are ruined."

*Battle for  
Quebec*

In February, 1759, a large British fleet sailed for America to begin the siege of Quebec. The British land forces were under the command of General Wolfe. The English colonies along the Atlantic seaboard were sufficiently concerned to contribute to the expedition. Even some of the Puritan preachers of New England beat the "drum ecclesiastick" against the hated papal régime in French Canada. Preparatory to the major operations against Quebec, British troops under Amherst forced the French to evacuate Ticonderoga and Crown Point (1759).

*Nature of  
expedition*

The siege of Quebec is one of the decisive events of world history. On June 26, 1759, the British fleet and the British army under Wolfe arrived at the Isle of Orleans to begin a twelve weeks' siege of the great citadel. Wolfe was a slight, tall Britisher who had entered the army at the tender age of thirteen, and now, as the great moment of his career approached, was but thirty-two years old. He had participated in the earlier Louisbourg campaign. Though suffering acutely from rheumatism and gravel, and in the very shadow of the grave, he eagerly undertook the almost impossible task of reducing France's most strategically located fortress in North America.

*Beginning of  
siege*

The ancient city of Quebec was situated on a great rock on the north side of the St. Lawrence River, about a mile wide at this point. Behind it was the St. Charles River. Every conceivable approach by which an army could be led up to the high plateau on which the city stood, was covered by French guns and guarded by French pickets. But Montcalm had only about 17,000 troops with which to repel a total British force of 27,000. Only 3500 of Montcalm's army were French regulars, and only these, strictly speaking, were under his immediate command. The militia and the other irregulars were under the control of Vaudreuil, the vain, incompetent, and meddling governor.

*Quebec's  
strategic  
location*

After weeks of futile manœuvring and bombardment, during which the British made little progress toward penetrating the defenses of Quebec, and French fire-rafts, in turn, failed to demoralize the British blockading fleet, a narrow passageway was discovered by which an army might be led up onto the Plains of Abraham, the plateau upon which the city's defenses stood. Wolfe decided to take the desperate chance. In the dead of night, and behind a screen provided by the British ships, 5000 men crossed five miles of river, and silently, two by two, in the early morning, made their way up the

*Plains of  
Abraham*



stony cliffs. It was a simple matter to overpower the startled sentry, and when morning dawned, on September 13, 1759, Montcalm found the red-coats drawn up in battle array on the Plains of Abraham, ready for the French attack.

Montcalm and  
Wolfe

Even now Montcalm's desperate attempts to defend the city were hindered by Vaudreuil. In fifteen minutes the fight was over, and the French were fleeing before the withering fire of their enemies. Quebec soon surrendered to the victors. The city itself was in ruins, and its population reduced to famine conditions. Montcalm, like the rest, had been living on rations of four ounces of horse flesh a day. Neither the victorious nor the vanquished leader lived to see the closing events of the great drama in which they were the last important actors. Both fell, mortally wounded, early in the attack. Montcalm was buried by torchlight in an Ursuline chapel where some days later a British army chaplain read the funeral service for Wolfe.

Second siege

On April 27, 1760, De Levis, the able French commander at Montreal, in an attempt to regain the city, led his troops to the heights of Quebec by almost the same method Wolfe had so successfully employed seven months earlier. De Levis actually won a temporary victory, and General Murray, the British commander at Quebec, was compelled to withdraw into the city proper, where, after several days of anxious waiting, he was saved by the coming of the British fleet. Again British naval supremacy proved the decisive factor in the campaign. At the end of May, 1760, De Levis speedily retired to Montreal, where his little army of 2000 men was besieged by three British forces. On September 8, 1760, Governor Vaudreuil formally signed papers of capitulation. The surrender of the remaining French posts in North America was a foregone conclusion, and by 1763, when the war officially came to a close, two tiny fishing islands off the coast of Newfoundland were all that was left of the French colonial empire in North America.

Treaty of Paris

By the Treaty of Paris (1763) France ceded to Great Britain all of Canada and all of her claims in North America east of the Mississippi River. The region west of the Mississippi, including the Isle of Orleans at its mouth, was transferred to the sovereignty of Spain. At the last moment Pitt preferred the annexation of Canada to the annexation of Guadaloupe, a semi-tropical West Indian Island, the acquisition of which had been strongly favored by British merchants. Canada at the time was regarded by many Englishmen as a territorial addition of doubtful value, and, exclusive of the fisheries and the fur trade, of little consequence for the future of the British Empire.

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## CHAPTER IV

### BRITISH RULE TO THE AMERICAN REVOLUTION

*Reorganizing  
Empire*

THE Treaty of Paris (1763) was of great significance for the future of North America. Not only was French rule expelled, but England now shouldered the burden and responsibility of governing and conciliating a population which was alien in race, in customs, and in religion. This new task was undertaken at a critical juncture in the history of the Empire, when signs of its approaching dissolution were beginning to appear in the thirteen neighboring English colonies. In addition, by her annexations in North America and in other parts of the world England became a world power almost overnight. Consequently, she needed a larger army and navy, and also a reorganization of her system of colonial administration, if she would protect the fruits of the war against her jealous foes. These new burdens, coupled with the desire to have her colonies contribute toward the reduction of a national debt which was the result of long years of warfare, soon led men like the well-intentioned and over-logical Grenville, and his more pig-headed successors, to devise new plans for the raising of imperial revenues and for the reorganization of imperial administrative methods. These new policies soon led to serious friction between the English-American colonies and the mother-country.

*Treaty of 1763  
and American  
colonies*

The disappearance of the French and Indian menace on the frontiers of New England undoubtedly helped to develop a new spirit of self-reliance among the British colonists, and also a feeling of security which made them less dependent upon the naval and military resources of the home government. As William Burke pointed out when the treaty of 1763 was concluded, "a neighbor that keeps us in some awe is not always the worst of neighbors."

*Virility of  
French stock*

When New France was surrendered to the British her total population was somewhere between 65,000 and 70,000 people. Some 15,000 of them lived in towns, the only settlements of appreciable size and importance being Quebec and Montreal. From this little nucleus the present-day French-Canadian population of 3,000,000 has sprung. So great has been the virility of this French stock that, without further immigration from France, and cut off from all spiritual and national ties with the land of their origin, the French Canadians have developed an intense and enduring national spirit which has not only permeated the province of Quebec, but has accompanied the sons

and daughters of French Canada in their migrations to the Canadian west and to many parts of the United States.

The articles of capitulation to which the Chevalier de Ramezay agreed when Quebec was surrendered in 1759 permitted the French garrison to march to their ships with the honors of war, promised respect for private property, left the inhabitants of Quebec undisturbed in their homes, and permitted the free exercise of the Roman Catholic religion until a final settlement of this question should be made in the treaty of peace. The capitulation signed by Governor Vaudreuil in the following year likewise included a guarantee of the liberties, property, and religion of the Canadian people. The Treaty of Paris (1763) recognized the rights of the people to profess their religion according to the rites of the Roman Catholic Church, "as far as the laws of Great Britain permit." This qualifying clause was deliberately inserted and might have turned out to be a serious limitation of the practice of Roman Catholicism, since many laws were still in force imposing various disabilities on Roman Catholics within the British Empire. Furthermore, the strong-minded and perverse George III had recently ascended the British throne, and his anti-Catholic principles were well known.

*Terms of victory*

Indeed there is some evidence that Great Britain, whatever the guarantees of the treaty, was planning a campaign to encourage the formation of Protestant schools and to promote the spread of Protestantism in the new province of Quebec. The instructions issued to Governor Murray in 1763 for the government of the conquered province urged him "not to admit of any Ecclesiastical Jurisdiction of the See of Rome or of any other foreign Ecclesiastical Jurisdiction whatsoever." In actual practice, nevertheless, British rule proved very mild indeed, and the military officials in charge of the conquered province soon learned that it was an excellent policy to respect the rights of the Roman Catholic clergy. The latter, fully aware of the dangers which might arise from the new régime, at once ordered all the faithful to give loyal obedience to their new rulers, and to sing *Te Deums* for their British sovereign.

*Great Britain  
and Church of  
Canada*

Immediately after the reduction of Quebec and Montreal the British divided Canada into three military districts—Montreal, Quebec, and Three Rivers—each under a lieutenant-governor, with General Amherst acting as military governor of the entire territory. This temporary military rule was equitable and humane. The religious sentiments of the people were respected, and their property rights were not molested. The old laws and customs, under which French merchants, traders, and landholders had lived for generations, remained undisturbed. The natural result of such tactful conduct was to win the support of the clergy and the seigniors for the new régime, and through these two most influential classes the reactions of the mass of the people could easily be controlled. The treaty of 1763 allowed any who might wish to return to France a period of

*Temporary  
military  
government*

eighteen months in which to dispose of their holdings, but only a few hundred people left the province. The clergy, almost to a man, decided to remain with their people.

*British-  
American  
immigration*

The most discordant element in the population proved to be the recently arrived settlers and traders from New England, who came to take advantage of the new business opportunities which the British conquest of Canada opened to them. Almost at once there was friction between the French-Catholic majority and the steadily growing and aggressive English minority. The latter, familiar with the traditions of New England democracy, clamored for the introduction of British institutions in Canada. As for Governor Murray, who served in Canada as Civil governor from 1763 to 1766, his sympathies were decidedly with the French population. In spite of some restlessness among the *habitants*, Murray was confident that the French Canadians would soon become faithful subjects of the British Crown.

*Causes of  
proclamation  
of 1763*

In October, 1763, the British government, by means of a royal proclamation, tried to institute temporary arrangements for the control of her recent acquisitions in America, and for the handling of the Indian problem, which was always closely bound up with the problem of government. There were abundant reasons to justify the immediate promulgation of these royal orders.

*Pontiac's  
conspiracy*

In the first place, the Indian problem demanded immediate attention and, if possible, prompt solution. Shortly after the conquest of New France most of the British troops were withdrawn, leaving the western Indians under the influence of French fur traders, who were allowed to wander at will through the West. At this critical juncture in Indian affairs the great Ottawa chieftain, Pontiac, a participant in Braddock's defeat in 1755, determined to organize an Indian confederacy to block the British advance into the Mississippi valley. Pontiac, who was a leader of much ability and organizing skill, undoubtedly was aided in his plans by the French. In May, 1763, the Indians rose on all parts of the frontier as part of a well-directed plan of battle. In the eastern half of the Mississippi basin Fort Sandusky was burned, Fort St. Joseph, Fort Miami, Fort Presqu'Isle, and other posts were taken, and within six weeks British influence had disappeared from the entire Great Lakes region, with the exception of Detroit. The latter, which Pontiac had selected as the objective of his own military operations, successfully withstood a fifteen months' siege. Eventually the Indians were beaten back, and in 1768 they were forced to accept the Treaty of Fort Stanwix, which opened to British settlement the region between the Mohawk and Allegheny valleys, and the Ohio valley to the mouth of the Tennessee River. Pontiac was tomahawked by an Illinois Indian, near Fort St. Louis, in 1769.

*Indian line and  
fur trade*

Pontiac's conspiracy left a deep impression on the minds of British officials, and convinced the government that the Indian problem



could be solved only by bringing Indian affairs under the complete control of the imperial authorities. It was decided to draw an Indian line through the North American possessions, beyond which whites were not to go except with the special permission of the government. It was also hoped by this means to regulate the fur trade, so that an element in the friction between the whites and Indians which had led to Pontiac's war might henceforth be avoided. Obviously the problem before Great Britain was to draw the Indian line in such a way that the Indians would be assured of an adequate reserve, without unduly restricting the expansion of the seaboard colonies beyond the Alleghenies.

The Royal Proclamation of October 7, 1763, contained many significant provisions. Some dealt with problems in other parts of North America and therefore may be ignored for our present purpose. The proclamation created the province of Quebec as the governmental unit for the French-Canadian population in the St. Lawrence valley. A line was drawn along the crest of the Appalachian highlands, extending from northeast to southwest across North America, and beyond this line white settlement was not to go. Thus a great Indian reservation was projected, to be subject to imperial control, and to be administered by the officials of the British Indian Service and the officers of the army. The result of this proposal was that, of all the attractive region beyond the Alleghenies to which the English colonists had been turning covetous glances, only a very small area (what is now the state of West Virginia) was left open to settlement. To enforce this provision, against the natural tendency of the colonies to expand westward, proved to be utterly impossible.

*Provisions of  
Proclamation  
of 1763*

The proclamation of 1763 also laid down detailed regulations for the fur trade in order to promote peace with the Indians and to insure maximum profits. For the province of Quebec it instituted a government consisting of a governor and an appointed council, and promised that an elective assembly should be summoned when conditions in the colony warranted the establishment of this element of self-government. A judicial system was to be established consisting of civil and criminal courts governed by law and equity "as near as may be agreeable to the laws of England," with the right of an appeal, in civil cases, to the British Privy Council. William Pitt declined the governorship, and the formal establishment of civil government in Quebec was brought about by Governor Murray. Murray had the aid and support of a council of twelve appointed by the Crown, but an elective assembly was not considered feasible at this time when there were only about five hundred Protestants in the total population. In view of British practice it seemed impossible to enfranchise the Catholics, and equally impossible to allow a few hundred Protestants, whom Murray called "grab-allers" and "Americanized camp-following traders," to monopolize such representative government as might be established.

*Governmental  
regulations*

*Murray's mild  
régime*

Governor Murray's régime was marked by a genuine desire to conciliate the French Canadians. He was an excellent French scholar and had no little appreciation of the psychology of the French people. New courts were established, but most of the ancient customs of the colony were left undisturbed. Indeed, in the legal system inaugurated, Murray deviated strongly from the provisions of the proclamation, which at least implied that English civil and criminal law was to prevail. In spite of his good intentions and humane rule, Murray's term of office was marked by considerable friction. Many poorly qualified officials and judges were sent out from England, and the difficulties with which they had to contend were greatly aggravated by their ignorance of the French language and customs. Friction between the civil and military authorities and between the French agricultural population and the slowly growing British minority of businessmen could not be avoided. The *habitants*, too, were getting restless and felt uncertain as to their exact status under the new dispensation. In 1766 Murray was succeeded by Sir Guy Carleton.

*Sir Guy  
Carleton*

Carleton came of English-Irish stock. He was one of Pitt's "young men" and had served with General Wolfe at Quebec. A man of scrupulous honor and an ardent imperialist, he readily concluded that the way to keep Canada under British control was to allow her to remain French. Carleton exercised great influence on the provisions of the Quebec Act, a new constitutional provision for Canada passed in 1774 and destined to have a basic effect on the history of the province for many generations.

*Causes of  
Quebec Act*

For many reasons the arrangements instituted by the proclamation of 1763 were unsatisfactory. Abuses in the administration of justice could be corrected only by settling once for all the system of civil and criminal law which was to prevail. The status and privileges of the Roman Catholic Church needed more careful definition, and the vexing problem of an elective assembly could not be ignored. The problem of governing the great West was as important as ever, and neither the fur trade nor Indian relations had been satisfactorily dealt with. Moreover, in the Illinois country and around the Great Lakes there were a number of unattached French villages for which some kind of civil government had to be instituted. Finally, the constantly increasing friction between the English mother-country and her thirteen colonies made it imperative to conciliate the French population of Quebec and thus minimize the possibility of that province joining them in case they should rebel.

*Quebec Act of  
1774*

The Quebec Act, "the Magna Charta of the French-Canadian race," received the royal assent on May 2, 1774, and became the basic law for the region defined in the act as the Province of Quebec. This included not only the French settlements along the St. Lawrence River and the Great Lakes, as well as Labrador to the eastward, but also that section lying between the Ohio River and the Great Lakes, and extending west of Pennsylvania to the Mississippi River. But the

law contained the provision, of dubious significance, that nothing in the statute should in any way affect the boundaries of other colonies, or cancel earlier rights which had been granted. In the confines of the newly-defined province of Quebec the inhabitants were guaranteed the "free exercise of Religion of the Church of Rome, subject to the King's Supremacy," but they were exempted from taking the Oath of Supremacy, and simply swore allegiance to the king, promising to report all treasonable conspiracies to the authorities. The seigniorial system, where it already existed, was left undisturbed. In the administration of justice the old French law was retained for all civil cases, but English law was to prevail in criminal cases. The provisions for the legal system, however, were not rigid, as the act stipulated that they might be changed at any future time by the governor and council. This arrangement was undoubtedly intended to conciliate the British minority. The act provided for the appointment of a council to consist of not more than twenty-three or less than seventeen members, and these royal appointees, together with the governor, were to make the ordinances necessary for the government of the province, subject always to the approval of the Crown. The council did not possess the taxing power, and all of its ordinances dealing with religious questions had to receive the royal approval before they became effective. An elective assembly was considered impossible for the same reasons which had prevented its introduction ten years earlier. Moreover, the French population, inexperienced in the arts of self-government, for the present were content to leave governing problems in other hands.

Much can be said both in justification and in criticism of the Quebec Act, and such comments will depend largely on the length of perspective. The law undoubtedly helped to retain Canada within the Empire at a time when the latter was being disrupted by a rebellion to the south, but it accomplished this by keeping Canada culturally French. The act retained for England, at one of the darkest hours in her imperial history, the loyalty and support of the Roman Catholic clergy and the seigniors, who constituted the two most influential classes in the Canadian population. The law was drawn "with an eye to Boston rather than to Quebec." On the other hand, the Quebec Act stopped such anglicising processes as were suggested or initiated after 1763, and helped to preserve the old French civilization at a time when there were some evidences that it was beginning to disintegrate. As events took their course it perpetuated the rather antiquated and intricate French law, which became a real obstacle to the commercial progress of the province. On the religious side, it prepared the way for that close alliance between Church and State which still complicates the affairs of French Canada. It naturally made the English minority more disgruntled than ever, by practically recognizing a French nationalism which continues even now to affect politics and international relations. The extension of the

*Criticism of Act*



boundaries of Quebec to include the northern half of the Ohio valley was probably an error, for it deprived the irritated Atlantic colonies of their sea-to-sea claims; and by cutting off their opportunity for westward expansion, it added one more important grievance to the long list of charges which they were preparing against the alleged misrule of George III. In addition, the virtual establishment of the Roman Catholic religion in the province of Quebec proved most irritating to the New England Puritans, who for generations had been thundering against the "Popery" and "bigotry" of their northern neighbors.

*Effect on  
rebellious  
colonies*

It was highly unfortunate that the Quebec Act was passed almost simultaneously with the "coercive" or "intolerable" acts with which a short-sighted British ministry tried to punish the radicals of Boston for their destruction of a cargo of tea in Dorchester Bay. In the minds of the excited English colonists the Quebec Act became one of the worst of the British repressive measures. The relation of the law to the French-Canadian situation was completely lost sight of, and the act was viewed as a purely punitive measure, directed against the American radicals. As a matter of fact, the drafting of the Quebec Act had been begun in England, and its chief principles had been agreed upon before the news of the Boston Tea Party reached London. In the opinion of Professor C. W. Alvord, a careful American student of British policies during this period, the Quebec Act was "one of the few statesmanlike measures of the ministry," being an honest attempt on the part of the mother-country to deal with the Canadian problem, and to protect at least a part of the Mississippi valley from Indian disorders by bringing it under the control of the imperial authorities. As an undeveloped wilderness the Ohio valley seemed to belong, for administrative purposes, more logically to a government in the St. Lawrence valley than to any of the English seaboard colonies which had hitherto laid claim to this hinterland. On the other hand, it must not be forgotten that Carleton had for some years seen the American Revolution on the horizon and had repeatedly urged conciliatory measures for the church and the seigniors of Quebec. Whatever wisdom the boundary provisions of the act may have contained, there is little reasonable doubt that Carleton's presence in England at that time colored it in such a way as to inspire the hope that it would prove an effective weapon for military purposes against the rebellious thirteen colonies.

The Quebec Act remedied many of the legal and religious grievances of the French Canadians, but it left many governmental abuses untouched. The outbreak of the American Revolution made it impossible to put the law into effect on May 1, 1775. But in the trying years which followed the outbreak of the Revolution it gradually came into operation, as the overwhelming importance of military defense left opportunity and time for matters of internal administration.



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## CHAPTER V

### BRITISH NORTH AMERICA AND THE AMERICAN REVOLUTION

*Lexington and  
Concord*

ON APRIL 19, 1775, hostilities commenced between American rebels and British troops at Lexington and Concord, near Boston, so that when the Second Continental Congress met in May, 1775, it faced a situation in which rebellion and war were accomplished facts. A final statement to the British King embodied the causes for taking up arms, but this statement was couched in language which left the door open for conciliatory measures in case the British government should desire to present the olive branch rather than the sword. The British reply, however, closed the door to further negotiations and forced a resort to arms—a result which was not at all distasteful to the radical party in the colonies, and for which all preparations had been made.

*Causes of  
Revolution*

It is unnecessary for the purpose of this book to discuss at length the causes of the American Revolution—causes which seem to become more complex as historical inquiry penetrates deeper into the sources of this period. Among the most active of them were the application of the mercantile system to the colonies in the form of navigation acts and revenue measures which sought to restrict colonial trade, and a general stiffening-up of imperial control over American commerce, especially since the close of the French and Indian War. Indeed, much of the early agitation against Great Britain had its origin among the colonial merchants whose financial status was affected by the increasingly stringent British regulations. Protests and agitations begun by a conservative merchant class soon passed beyond their control into the hands of more radical leaders who seized the opportunity to demand enlarged self-government, and eventually independence. For a century the colonies had been allowed to shift for themselves, and during these years of "salutary neglect" there had developed a spirit of self-reliance and of national self-sufficiency which was not at all likely to accept lightly any arbitrary interference from the outside. "No taxation without representation" proved an excellent shibboleth to rally the patriot party. The utter tactlessness and lack of political vision on the part of the British ministers gradually consolidated many elements in the colonial population.

*Canada—  
fourteenth  
colony?*

It was natural for the leaders of the American Revolution to speculate upon the possibility of making Canada a fourteenth colony. It was assumed that the French Canadians chafed under British rule,

that the English minorities in Quebec and Montreal and in the provinces nearer the sea would welcome an opportunity to join their friends and kinsmen to the south, and that Governor Carleton did not have adequate military forces to defend the long frontier against an invading force of Continental troops. For the moment it was expedient to forget the century of hostility between New England and New France, due to fur-trading rivalries, Indian alliances, frontier raids, and religious differences. It was hoped that "the transcendent nature of freedom" would elevate the minds of all good patriots above "such low-minded infirmities" as religious intolerance and bigotry. So strong was this hope that as early as the fall of 1774 the First Continental Congress at Philadelphia issued addresses to the people of Quebec, and Samuel Adams, the Massachusetts Provincial Congress, and the Boston Committee of Correspondence tried to interest the English minority of Quebec in sending delegates to the Second Continental Congress.

In May, 1775, about 230 Vermont and New Hampshire militiamen, led by three colonels, Ethan Allen, Seth Warner, and Benedict Arnold, won easy victories at Ticonderoga and Crown Point, and thus opened the Lake Champlain route into Canada for the transportation of much-needed supplies for the colonial militia assembled for the siege of Boston. But these incidents also precipitated a real crisis in Canadian relations, for it had been the intention of the leaders of the American Revolution to avoid all friction with their Canadian brethren, in order to convince them that the American rebels regarded them as friends and not as foes, and by subtle propaganda to lure them away from their British allegiance.

*Ticonderoga and  
Crown Point*

The American Continental Congress at once sent several thousand copies of a letter into Canada to reassure the inhabitants of their friendly intentions, and Ethan Allen was dispatched to "preach politics" among the *habitants*. An address "to the oppressed inhabitants of Canada" was prepared by John Jay, Samuel Adams, and Silas Deane, men high in the councils of the revolutionary party, and was translated into French for purposes of propaganda. At the same time steps were taken by the American leaders to prevent the Indians from becoming allies of the British.

*"Preaching  
politics"*

In August, 1775, an American invasion of Canada was definitely agreed upon, on the assumption that a successful assault upon Quebec and Montreal would induce the Canadians to join in the war against England. An army of some 1500 men was assembled at Ticonderoga under General Philip Schuyler of New York. The latter was instructed by Congress to "pursue any measures in Canada that may have a tendency to promote the peace and security of these Colonies," without unduly irritating the Canadians. Consequently Schuyler issued a proclamation announcing his coming, and assuring the Canadian people that the Americans came as deliverers to free them from the yoke of British slavery. Schuyler was soon forced by illness

*Friendly  
invasion*

to return to Albany, whereupon his army passed under the command of Richard Montgomery, formerly an officer in the British service.

*Military plans*

The plan of operation contemplated an advance by Montgomery's army by way of the Lake Champlain route, the seizure of St. John's and Chambly on the Richelieu River, and then the capture of Montreal. This accomplished, Montgomery was to proceed down the St. Lawrence River to Quebec, where his forces were to effect a junction with the army of Colonel Benedict Arnold, who was advancing across the wilderness of Maine. The combined forces could then launch the final assault on Quebec.

*Defender of  
Canada*

To Carleton fell the difficult task of defending Canada against both revolutionary propaganda and American troops. His total force of regulars did not exceed a thousand men, and the summoning of the French-Canadian militia to the colors was considered a very precarious move. The majority of the French Canadians were regarded as unreliable in such a crisis, and as a matter of fact many of the *habitants* refused to participate in the efforts to repel the invasion. Carleton's genius and courage made him the savior of Canada.

*Fall of  
Montreal*

Montreal and St. John's fell before the American attack, but not until all the stores had been destroyed by the defenders. Carleton managed to leave Montreal while the siege was in progress, and to make a perilous escape past the blockading American troops and ships. On November 19, he suddenly appeared in Quebec to take charge of its defense. Arnold, after a terrible march across Maine, during which his own indomitable courage and his marvelous skill were all that kept his army together in the face of famine, hardship, and disease, had arrived at Quebec five days earlier. Because of the inferior numbers under his command Arnold postponed the attack until the arrival of Montgomery's men, who were coming down the river in hot pursuit of Carleton.

*Siege of Quebec*

For the second time in sixteen years Quebec was bombarded by an enemy force. Its walls were in poor condition, but so also were the siege guns of the Americans. Carleton had raised about 1800 men for the defense of the city, while the American attacking force numbered nearly 2700, plus a few hundred French Canadians who had decided to support the rebel cause. Carleton had the better cannon and plenty of food, while the American troops were inadequately supplied and suffered terribly from an epidemic of small-pox.

*Final assault*

Montgomery began the siege early in December. Letters addressed to the city population were attached to arrows and fired over the walls, and in a bombastic note the American commander called on Carleton to surrender the ancient citadel. On December 31, in a snowstorm, the great assault was launched by the Americans. The plans had been well worked out, but at the last moment there was a confusion of signals, and the rockets fired from Montgomery's position as the signal for the general attack were discovered by the



British. After a spirited attack and some bloody street-fighting the Americans were repulsed with a total loss of 700 in killed, wounded, and prisoners. Montgomery was killed, and Arnold was severely wounded.

The siege of Quebec by the Continentals continued through the terrible winter of 1776. The troops suffered from exposure, small-pox, and scanty supplies. The tattered army made a thoroughly bad impression upon the population of the province, and after the failure of the attack on Quebec the American army lost whatever support it had received from the *habitants*. The loose discipline of the troops, the worthless paper money which they tried to force upon the people in payment for supplies, and the steady depletion of their ranks, convinced the people of Quebec that it was time to lose interest in what seemed to be a lost cause. Moreover, American propaganda made little impression on a population for the most part illiterate.

*Failure of  
invasion*

On May 6, 1776, the booming of cannon down the river announced the arrival of a British fleet. The Americans retreated precipitously before these reinforcements, and once more Quebec was saved by the supremacy of the British navy. Arnold skilfully conducted the retreat of his weary troops toward their American base in New York. Montreal also had to be abandoned, and thus the one great offensive campaign planned by the Americans before the Declaration of Independence ended in complete failure.

*Retreat of  
Continental*

Several hundred Canadians who had joined the American expedition retired with it to the south. By the end of the war these expatriated Canadians constituted a problem for the American government similar to the problem which the British government had to face in dealing with the American Loyalists. Eventually the United States Congress set aside a "Canadian Refugee Tract" in the West as compensation for the Canadians who had served the revolutionary cause, and lands were donated to the claimants in the region now occupied by perhaps the most valuable section of the capital city of Ohio.

*Canadian  
refugees*

Canada continued to be an important factor in the development of the American Revolution in 1776 and 1777, but all prospects of winning the Canadians for the revolutionary cause virtually vanished with the failure to capture Quebec. The simple-minded French-Canadian *habitant* had little understanding of the issues involved and no desire to run after the American goddess of liberty who, his clergy taught him, was after all of rather doubtful divinity. Seigniors and church authorities remained loyal to British rule and to the guarantees of the Quebec Act. Indeed, the Quebec Act served to preserve their loyalty in a population which Carleton denounced in bitter dispatches as "ungrateful" and "blind to honour." As a matter of fact, many of Carleton's hopes concerning the efficacy of the Quebec Act were not realized, but the law did serve well in avoiding a situation in which priests and seigniors might not have been actively

*Failure of  
Revolutionary  
propaganda*

loyal. As for the English minority, it was too small to be of great significance. Moreover, the English merchants of Quebec were profiting greatly from the trade with England which the rebels were boycotting in order to exert pressure on the commercial classes of England.

*American plans  
in 1776*

In 1776, before the final collapse of the operations around Quebec, three American commissioners were sent from New York to persuade Canada to join the war, officially to guarantee to her the undisturbed exercise of the Roman Catholic religion, and to promise the clergy complete security in their church estates. A printing-press was brought from Philadelphia and set up in Montreal for the printing of American propaganda. The commission, of which Benjamin Franklin was a member, was an utter failure and only added to the general confusion of the rebel program by seriously interfering with the control of the American army. Late in 1776, after a naval battle with Arnold on Lake Champlain, Carleton retook Crown Point, but Arnold's skilful fighting blocked the British long enough to make a winter campaign against the Americans impossible. Quebec spent a happy winter season in 1776-1777. Carleton was knighted, and 10,000 British troops, quartered in the city, added to the gayety and the security of the inhabitants.

*British  
campaign of  
1777*

For 1777 the British War Office planned a great three-headed campaign to occupy New York State and to isolate New England, the hot-bed of the rebellion, from the rest of the colonies. General John Burgoyne, who had been appointed commander in May, 1777, because, as is supposed, of Lord George Germain's personal grudge against Carleton, was ordered to proceed into New York by way of Lake Champlain. Colonel St. Leger, with British troops, Loyalists, and Indians, was to enter New York by way of the Mohawk valley, and to join forces with Burgoyne at Albany. In the meantime still a third column was to advance up the valley of the Hudson River from New York City.

*Burgoyne's  
surrender*

Howe's decision to launch a campaign against Philadelphia destroyed all chance of reinforcements for Burgoyne, coming up the Hudson from the south. St. Leger's column, after a long siege of Fort Stanwix, the key to the Mohawk valley, was defeated at Oriskany by a band of German settlers under the command of Nikolas Herkheimer, and was forced to return to Canada. Burgoyne slowly made his way from the north toward Albany. His supplies ran low, and foraging parties sent out into the surrounding country fell into the hands of American detachments. As Burgoyne advanced farther into the enemy country, the whole countryside came pouring into American headquarters to help bag the British game. Hopelessly outnumbered and surrounded, Burgoyne at last found it impossible to fight his way out, and on October 17, 1777, he surrendered to the American commander, Horatio Gates, who had arrived in time to profit by the fruits of victories won by others. This victory at

Saratoga was the turning-point of the Revolution. It brought France into open alliance with the United States, and the war spread until its character changed from a mere rebellion to a world struggle in which England stood at bay before a hostile Europe.

After the French alliance of 1778 efforts were renewed to win the adhesion of Canada as a fourteenth state. The French Admiral D'Estaing issued an appeal to the racial pride and memories of his "fellow-countrymen" in Canada, and Congress actually accepted the plan of the youthful Lafayette, who had come to fight for the Continental cause, to invade Canada under French auspices. But Washington, as commander-in-chief of the American forces, foresaw what complications might arise for the new republic if France should regain a foothold in North America, and quietly vetoed the suggestion. Carleton, after three years' retirement, returned to New York in 1782 as commander-in-chief of the British forces in America, and thus it fell to his lot to direct the final evacuation of American territory.

*Results of  
French alliance*

The Treaty of Paris of 1783, which officially closed the American Revolution and recognized the new United States as an independent nation among the family of nations, also had great significance for Canada. To Canada it meant the creation of a world state on her southern border, a state destined to become so powerful that Canada was for many years confronted with the choice of yielding to its powers of absorption, or of remaining faithfully and whole-heartedly attached to the British Empire.

*Treaty of 1783*

The treaty of 1783 defined the boundary between these new neighbors. From the mouth of the St. Croix River the international line proceeded to its source, then north to the "highlands" forming the watershed between the Atlantic Ocean and the St. Lawrence River. Thence it proceeded along these "highlands" to the Connecticut River, down that river to the forty-fifth parallel, and thence due west to the St. Lawrence River. Following up this river, the line passed through the middle of the lakes and rivers which form the Great Lakes system, to the northwest corner of the Lake of the Woods. From this point, it was to extend "due west to the Mississippi."

*Boundaries*

At a number of points this line was difficult to trace or was absolutely at variance with the facts of geography. Which of several streams was the St. Croix? Where were the "highlands" that separated the streams flowing into the St. Lawrence River from those emptying into the Atlantic Ocean? Finally, a line drawn "due west" from the Lake of the Woods could not possibly touch the Mississippi, which rises considerably farther south. For decades these troublesome problems absorbed much of the time of the diplomats of the United States, Canada, and Great Britain; and closely connected with them were matters of trade, navigation, tariffs, etc., the natural consequences of American independence.

*Points in  
dispute*

But by far the most important result of the American Revolution,



*Loyalists*

as far as Canada is concerned, was the Loyalist invasion of the British provinces. The American Revolution cannot be properly appraised if one overlooks the fact that it was a great domestic struggle and a civil war, as well as a revolution which grew into a world war. Not all of the people in the thirteen English colonies favored the extreme measures advocated by the more radical leaders of the rebellion. Some joined in the earlier demonstrations against British misrule, only to shrink back when political independence became the goal of the agitation. In some colonies the Loyalist element constituted a large part of the population, possibly a third. New York was often called the Loyalist stronghold, and Pennsylvania "the enemy's country." Some of the hardest fighting in the Revolutionary War was done by such Loyalist regiments as Tarleton's cavalry in the Carolina campaigns, Governor Tryon's forces in New York and Connecticut, and those of Sir John Johnson and Colonel Butler on the western frontier.

*Loyalist  
principles*

Many of the Loyalists belonged to the most influential classes in the colonies, and were men of property and education, office-holders and men of social position, who quite naturally were defenders of the established order and opponents of the leveling democracy advocated by radicals such as Samuel Adams and Patrick Henry. While deploring British blunders, these conservatives nevertheless believed there could be no safety, and no law and order, outside the Empire. That the members of this class did not exert an influence commensurate with their number was due largely to the fact that they were unorganized, unarmed, and scattered; and as the war progressed, they became the victims of measures of terrorization and repression launched by their better organized radical adversaries.

*Revolution as  
civil war*

In many colonies the battle between "Patriot" and "Tory" was marked by measures to suppress freedom of discussion, and by acts of violence on both sides. Window-breaking, stealing, rioting and tar-and-feather parties were common occurrences in many colonies. After July 4, 1776, the date of the Declaration of Independence, Loyalism became treason, and test oaths were imposed by revolutionary committees upon all persons whose allegiance to the cause of independence seemed open to question. Special offenders frequently were marched through the streets behind a fife and drum corps playing the Rogue's March. Pennsylvania passed bills of attainder against 490 Tories, fines were imposed for evading military service, and in some counties of New York and South Carolina Loyalists had to make good all robberies committed in their localities. It was estimated that New York alone acquired property worth £3,600,000 from Loyalist sources, while the Continental Congress in 1777 recommended the confiscation of Loyalist estates by the various state governments, the proceeds to be invested in bonds for the prosecution of the Revolutionary War. In Pennsylvania some of the expropriated Loyalist property served to swell the endowment fund of the University of Pennsylvania.



Long before the close of the American Revolution many Loyalist families preferred to leave their old homes for more peaceful communities, where they might live under the protection of the British Crown and escape the persecutions and the odium which would follow them as long as they lived in the American Republic. The Loyalists paid the price of supporting a lost cause, and for reasons of necessity and conviction they preferred to migrate rather than yield to a government controlled by those same radicals whose methods they so cordially detested and whose actions they had so vigorously, and often so indiscreetly, opposed.

*Beginning of  
Loyalist  
migrations*

Many American Loyalists went during and after the war to the Bermudas, some returned to England, others sought refuge in Florida. Thousands migrated to the north, and laid the foundations of a British North America. The number who entered Canada will probably never be accurately determined, but it was large enough to affect the whole future of that colony.

Before the British troops evacuated New York City thousands of Loyalists sought refuge within their lines. Carleton refused to leave the city until all had been properly provided for. 5593 sailed for Halifax on the first convoys in April, 1783. 800 migrated from Pennsylvania alone to the western part of Nova Scotia and helped to lay the foundations of the new Province of New Brunswick. Probably 3000 in all moved at this early date to Cape Breton Island. Thousands swarmed across the Canadian frontier from points of rendezvous such as Sackett's Harbor, Oswego, and Niagara, while others followed the familiar Lake Champlain route. Joseph Brant, the Indian chieftain, led his Mohawks into the neighborhood of the present Brantford, Ontario. The total number who finally settled in Nova Scotia, particularly in the valley of the St. John, has been estimated at 28,000. The majority of the Loyalists seem to have preferred this maritime region, for in spite of its rigorous climate it had the advantage of being partially settled, and was under a well-established and orderly government. Some ten thousand braved the perils of the region west of Montreal, at that time a trackless and unbroken wilderness, and with a courage and a persistence which are the pride and the marvel of their descendants, laid the foundations of the great Canadian province today known as Ontario. By 1795 the Loyalist stock of this "Upper Canada" was estimated at thirty thousand. Their coming constituted a second British invasion and conquest of French Canada. This time it was a peaceful penetration rather than a military subjugation, but it changed the whole destiny of Canada.

*Loyalist  
invasion*

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## CHAPTER VI

### LOYALIST PIONEERS AND THE REPEAL OF THE QUEBEC ACT

THE British government and the British people were keenly aware of the difficulties experienced by the Loyalists in America and fully conscious of a moral duty to aid those who had sacrificed so much in their devotion to the unity of the British Empire. Strenuous efforts were made to have a clause inserted in the treaty of 1783 providing for the protection of the Loyalists and for the restoration of their confiscated estates. But the American negotiators remained adamant and stubbornly refused to consent to an arrangement which in their eyes meant the sanctioning and rewarding of treason. Finally, a clause was incorporated in the treaty of peace by which Congress agreed to recommend to the various state governments composing the weak American Confederation the restoration of the confiscated property of the Loyalists, or compensation for their losses.

*Great Britain's  
interest in  
Loyalists*

It was one thing for Congress to agree to make a recommendation to the states, but it was quite another thing to get the states to heed such a recommendation. Under the Articles of Confederation, the first experiment in federal government, under which the thirteen American states tried to live from 1781 to 1789, the central government lacked all punitive and executive power and was unable to enforce its decrees on the state governments. The latter ignored the recommendation concerning the Loyalists and made no compensation for their losses; and in some states the work of persecution and confiscation went merrily on. Quite naturally Great Britain concluded that it had been the victim of American duplicity, and her government made bitter complaints about the failure of the United States to live up to treaty obligations. The controversy over this Loyalist provision of the peace treaty complicated the relations between England and her former colonies for many years, and the failure of the United States to observe this feature of the peace settlement was made the justification by the British government for retaining a number of posts along the Canadian border, which were really on American territory. Great Britain did not in the least understand the American "Confederation" and had no idea of its looseness as a national bond.

*Loyalist  
provision of  
treaty of 1783*

Great Britain undertook the tremendous task of settling in British possessions such Loyalists as wished to leave their old homes. As has been pointed out, Carleton devoted the closing months of

*Settling in  
British North  
America*

his stay in New York to making plans for the transportation of Loyalist emigrés, and he refused to evacuate the city until satisfactory arrangements had been made for these unfortunate victims of the war. Great Britain provided for them transportation and free lands in British North America. Officers of disbanded Loyalist regiments were allowed half-pay when they were mustered out of the service, and a royal commission was created to study the matter of compensation for Loyalist losses. In addition, the English authorities undertook to furnish rations, farm implements, saws, chisels, seed-wheat, clothing, and live-stock, and to erect mills in the newly opened agricultural settlements. It has been estimated that before 1787 no less than 3,200,000 acres of land were granted to Loyalists in Upper Canada alone. In the two Canadas probably \$4,000,000 were spent in making surveys and furnishing clothing, food, tools, and stock to the newly arrived settlers. A conservative estimate has placed at \$30,000,000 the total amount spent by the British government on behalf of the Loyalists.

*Loyalist  
settlements*

Especially in the wilderness west of Quebec, and on the north shore of the St. Lawrence River, between Quebec and Kingston, emigrés were subjected to the greatest hardships and privations while they tried to carve pioneer communities out of the primeval forest. Others established themselves on the Niagara and the Detroit frontiers. Many came in winter, some riding horses or driving teams along the old Indian trails, or in a train of sleighs with runners made from limbs, and laden with food, bedding, clothes, and a few of the most valuable articles which they had been able to preserve from their old homes.

*Loyalist  
pioneers*

On their arrival the pioneers frequently camped in tents to await the "drawings," by which the numbers of lots were written on pieces of paper and drawn from a hat. With a short-handled axe the newcomers then set to work at their difficult and often unaccustomed task of making a clearing and erecting a temporary shelter. Usually they lived in one-story log cabins, twenty feet long by fifteen feet wide and some seven or eight feet high, with the logs notched at the corners and the cracks plastered up with clay. Typical cabins had a large stone chimney at one end. In some there was no chimney at all and the smoke escaped through a hole in the roof. Sometimes the cabin had no floor except the ground, and a quilt hung over an opening served as a door. There were seldom more than two little windows in these log structures, and these were covered with oiled paper in the absence of glass which was expensive and very difficult to get. A low attic, reached by a ladder leading into a great hole, served as a second room.

*Living  
conditions*

Most of the furniture was home-made—rough benches, tables and a bed, with perhaps an occasional heirloom that had been carried away from the old homestead. A crane usually hung over the fireplace, with an iron kettle, frying pans with three-foot handles,



and a griddle for making pancakes. At first there were no mills for the grinding of grain, and so Indian corn and wild rice were crushed between stones or with an axe, or the grain was pounded on a "hominy block," a great stump hollowed at the top. In the house the fire was always kept burning, and smoke often filled the cabin. Bread was generally baked in a large kettle, with the fuel piled above and below it. The fireplace and the tallow dip were the only sources of artificial light. Practically all of the dishes at first were made of wood, until greater affluence and the arrival of a Yankee peddler introduced pewter ware.

Pioneer farming was carried on in a very primitive fashion. At the outset, the clearings were necessarily quite small. Many Indian methods were used, and threshing was done with a flail. Soon chopping frolics and building and husking "bees" for the men, and quilting and paring "bees" for the women, helped to introduce some of the social joys, and to vary the monotony of life in the forest, besides providing the speed and the efficiency which came from the pooling of the labor forces of the region. If there was no fiddler present to enliven these occasions after the work was finished, the boys whistled or the girls sang tunes for the dancing which always followed. Whiskey was fairly cheap, and it added a warmth and a glow to these occasions which did much to compensate for the hardships of the pioneer's existence.

*Pioneer farming*

The women managed the spinning-wheels and wove coarse linen from the flax and hemp produced in the little clearings. Boots and shoes were also home-made, often from cowhides which had hung for weeks in a tanning trough until an itinerant shoemaker happened along and was willing to ply his trade in exchange for a supply of bacon or potatoes. Many of the pioneers wore deerskin clothing. The chief articles of food were pork, preserved in salt water or smoked, corn-meal, coarse flour, maple sugar, and berries growing wild in the forest. For some years the Johnny-cake, so familiar on the American frontier, was too "Yankee" to become established among the Loyalist settlers. Flour in Upper Canada sold at \$7.50 a hundred pounds in the 1780's, salt at \$4.50 a bushel, tea at \$1.50 a pound, wheat and corn at \$1.25 a bushel, rum at \$3.00 a gallon, and deerskins at sixty-three cents. Wages for a man's day labor were fifty cents. Roads were very poor, and schools and churches extremely rare.

*Economic conditions*

For many of the Loyalists belonging to the more comfortably situated and successful classes of the population of the thirteen states, this subjection to the most primitive conditions of living on the frontiers of the British provinces entailed the greatest hardship and suffering. In their trials and disappointments not a few grumbled against what seemed to be the neglect of England, and complained that all they had to live on was "His Majesty's rotten pork and unbaked flour." The year 1788 became known as the "Hungry

*Early hardships*

Year," due to the crop failures of 1787, and American patriots derisively referred to the Loyalist settlements in Nova Scotia as "Nova Scarcity." But these people were made of the stuff which enabled them gradually to surmount the obstacles which nature set in their way, and they became the nucleus of a most desirable English element in the Canadian population.

*Political  
consequences of  
Loyalist  
invasion*

The Loyalist migration had most important consequences, so far as the political development of Canada was concerned. First of all, it determined that Canada should develop as an English province, and not along the lines of the old French colonial system which the Quebec Act of 1774 tended to perpetuate. This very fact, however, induced the French Canadians to consolidate their forces against this second British invasion, and to defend their religion and language and mode of life against the dangers of British influences. In other words, as the Quebec Act became unsatisfactory as a method of government for these newly-arrived people of English stock, the same act became the great bulwark of French-Canadian liberties around which the French united their forces in defense of their peculiar rights and customs. So true is this that in a very large measure the present-day French-Canadian national spirit is an outgrowth of the Quebec Act and the Loyalist migration at the close of the American Revolution. Finally, the Loyalist element, with their strongly anti-republican sentiments, and their bitter experience with the methods of American democracy still fresh in their memories, became a permanent barrier to all plans for the annexation of Canada to the United States.

*Loyalists in  
the maritime  
provinces*

The coming of the Loyalists was the cause of numerous and important political changes. In Nova Scotia, 10,000 Loyalists had settled by 1783 in that part of the province which lay on the north side of the Bay of Fundy. The population of the province nearly trebled within a few years. Towns like Halifax, Shelburne, Annapolis, and Digby suddenly leaped into prominence as Loyalist settlements. Up the St. John valley, toward the present Fredericton, the wave of Loyalist migration advanced steadily, and many of the new arrivals at once became influential in provincial and local affairs. Lieutenant-Colonel Abraham Van Buskirk, formerly in command of a regiment of New Jersey Loyalists, was elected mayor of Shelburne. Christopher Sauer III, a German Tory printer from Pennsylvania, started a paper in Parrtown, and soon became a deputy postmaster in his province. Cases of this kind were rather typical.

*Partition of  
Nova Scotia*

Much criticism developed among the Loyalists in Nova Scotia concerning the methods of the royal governor, Parr. He was charged with failure to look after the new arrivals properly, and with permitting unfair practices in the granting of lands to prospective settlers. There was, moreover, much complaint that Halifax was too far removed, and communication too difficult, to insure a proper interest in the problems of the settlers in the part of Nova Scotia

west of the Bay of Fundy. An agitation arose for the dismemberment of the province, with the result that pressure was brought to bear upon London, and in 1784 a new province came into existence as one of the first fruits of the American Revolution. Nova Scotia was divided at the isthmus, and the region northwest of the Bay of Fundy was thereafter to be known as the Province of New Brunswick.

Colonel Thomas Carleton, a younger brother of Sir Guy Carleton, became the first governor of the new province, and served the colony for the next thirty years. Such families as the Winslows, the Coffins, the Putnams, and the Sewells, representing some of the best blood of the American states, were among the influential people of early New Brunswick. A council was created with both executive and legislative functions, and Loyalists were appointed to these new positions. On the council were a former attorney-general of the colony of Massachusetts and three former colonels in Loyalist regiments. The governor's secretary was a minister from New Jersey; a former judge of the New York Supreme Court became the Chief Justice of the province. The capital of New Brunswick was soon moved to Fredericton, and on October 15, 1785, writs were issued for the election of the first representative assembly. Twenty-six members were chosen to represent eight counties, and the suffrage was granted to all male adults resident in the province for three months. The assembly met in January, 1786; it enacted no less than sixty-one measures, many of which were copied from the statute books of New York, Massachusetts, and Nova Scotia.

*Loyalist  
province*

The latter province had been transferred to the British Crown in 1713 by the Treaty of Utrecht. For years the large population of stolid, pious, and obstinate Acadian peasants, by whom the British garrisons were virtually surrounded, was governed by a governor or lieutenant-governor and an appointive council of twelve members combining executive, legislative, and judicial functions. British control centered at first in the little town of Annapolis Royal. In 1749, Halifax was founded by an expedition led by Edward Cornwallis, uncle of the Lord Cornwallis who surrendered at Yorktown, and the new garrison was rapidly strengthened to serve as a counterpoise to the menacing French fortress of Louisbourg. Halifax soon superseded Annapolis Royal as the capital of the province. The British government stimulated a heavy Protestant immigration to Nova Scotia, and settlers arrived in considerable numbers from Old and New England, from the upper Rhine valley, and from Ireland and Scotland. Within four years (1750 to 1754) England sent out no less than 6000 settlers. In 1755 occurred the expulsion of the Acadians already referred to.

*Early history of  
Nova Scotia*

The expulsion of the Acadians, who were Catholics, removed one of the obstacles in the way of establishing the representative assembly which had been contemplated and was specifically promised in the instructions issued to Cornwallis when he assumed con-

*Establishment  
of  
representative  
government*



trol over the colony. Cornwallis' instructions contained the significant reference to an assembly to be established "according to the usage of the rest of our Colonies and plantations in America." But these instructions for the time being were ignored. Governor Lawrence was still less friendly to representative institutions than his predecessor, and he deliberately put off the creation of an assembly. The middle of the eighteenth century witnessed the influx of a large number of New Englanders; this element, centering in Halifax, promptly appealed to the home government for the recall of the unpopular governor. Moreover, largely through the efforts of the colony's chief justice, Jonathan Belcher, the question was raised with the Lords of Trade whether laws passed by a governor and council alone could be legally binding upon the people. At this stage in the controversy the British government ordered the summoning of an assembly, and in October, 1758, the first elective assembly in British North America convened at Halifax. For years, however, the real initiative and governing power remained with the governor and his council, and the great struggle for responsible government in Nova Scotia was still to come. After 1760 the colony entered upon a period of real prosperity, which was but slightly affected by the disturbing events of the American Revolution.

*Cape Breton  
Island  
Loyalists*

About 3000 Loyalists went to Cape Breton Island, and in 1784 it too was severed from Nova Scotia and erected into a separate government, with its own lieutenant-governor and a council appointed by the governor of Nova Scotia. No provision was made for an assembly. The establishment of Cape Breton Island as a more or less separate political entity soon proved to be a mistake. Indeed, there seems to have been no particular reason for this change at the time, except a desire to create more political jobs. In 1820 the island was re-annexed to Nova Scotia, with much opposition from the people concerned, who by this time had developed a local spirit which even now has by no means disappeared.

*Prince Edward  
Island  
Loyalists*

Prince Edward Island, which was virtually the possession of a group of absentee proprietors who had secured their estates by lottery in 1767, received an addition of about 600 Loyalists to its sparse population. Most of these had been lured to the island by the landed proprietors, who promptly set about cheating them out of their titles and reducing them to the status of tenants. The governmental evolution of Prince Edward Island proceeded rapidly. In 1763 the island was part of Nova Scotia. In 1769 it was set up as a separate colony under a lieutenant-governor and council, with executive and legislative functions. The calling of a representative assembly was illegally postponed for reasons similar to those which prevailed in Nova Scotia until 1773; in that year an assembly of eighteen members was instituted. Controversies, which continued for many years, arose over the land problem, and between the governor and the assembly over responsible government.



It was to the west of Quebec, in the region which we may henceforth call Upper Canada, that the Loyalists exercised their greatest political influence. Coming in a steady stream since the time of the first arrivals from the Mohawk valley in 1775 and 1776, the number of Loyalists in what was destined to become the Province of Upper Canada reached about 10,000 by 1785. Through the aid of Sir Frederick Haldimand, a British officer of Swiss blood to whom the government of Canada was entrusted in 1784, the Loyalists were established, for the most part, in the neighborhood of Kingston and the Niagara frontier.

*Upper Canada  
Loyalists*

Almost immediately there arose among these new arrivals, a demand for British institutions, the right to writs of *habeas corpus*, the English jury system, British commercial law, a more advanced educational system, and, above all, an elective assembly, whereby these Britishers might enjoy that system of representative government and local autonomy with which they had become familiar in the American colonies, and to which they were no less devoted than were their radical persecutors in the United States. It soon became clear that the Quebec Act was unworkable, now that two races, so widely different in customs, language, religion, and political traditions, lived side by side in Canada. When the British home government was confronted with this problem, the easiest solution seemed to be to divide Canada into two provinces, in one of which the French might perpetuate their conception of what constituted a satisfactory state of society, while the other could be developed along clearly English lines. This solution was virtually decided upon by the fall of 1789, and the Government of the younger Pitt sent the proposed bill for revision and suggestions to Chief Justice Smith (a New York Loyalist in Canada), and to Governor Carleton. The latter had returned to Canada in 1786, after having been elevated to the peerage as Baron Dorchester. It is interesting to note, in view of later developments, that both men suggested the possibility of federating the provinces of British North America, and that Dorchester vigorously opposed the division of Quebec into two provinces.

*Demand for  
British  
institutions*

On June 10, 1790, what is known as the Constitutional Act of 1791 was passed by the British Parliament. The new law went into effect on December 26, 1791. At the time of its passage there were approximately 150,000 French and 10,000 English in Lower Canada, and perhaps 20,000 English and a very few French traders and trappers in what became Upper Canada. The "Canada Act" of 1791 left to the king, acting by order in council, the determination of the exact boundary between the proposed provinces. The dividing-line was accordingly fixed at the Ottawa River, and followed this stream almost to its mouth; but a small region around Montreal was left as a part of Lower Canada, because the French system of landholding had been extended into this area.

*Constitutional  
Act of 1791*

The bill, as has been said, provided for two provinces, Upper and

*Governmental  
provisions*

Lower Canada, each with a separate government. In Lower Canada there was to be a legislative council of not less than fifteen members, appointed for life by the governor, acting on the authority of the king, and an assembly of not less than fifty members, elected on a property-holding franchise. Upper Canada was provided with a legislative council of not less than seven members, appointed by the governor, and an elective assembly of not less than fifteen. As the chief executive officers and the direct representatives of the Crown, a governor and a lieutenant-governor were provided for each province. As a matter of fact, the lieutenant-governor of Lower Canada usually did not function, his duties falling to the lot of the governor, while the lieutenant-governor of Upper Canada, due largely to difficulties of communication, became an executive officer who was often quite independent of the governor-general. The governor and lieutenant-governor could convoke or dissolve their legislatures, refuse assent to bills, or reserve them for the pleasure of the Crown. All acts of the colonial legislatures could be disallowed by the home government within a period of two years. By the terms of the act of 1791 England hoped to create in Canada a miniature of the system of government existing in the mother-country.

*Religious  
provisions*

The act contained several other significant provisions. Power to levy customs-duties, and to regulate navigation and commerce, was retained by the English Parliament. The rights of the Roman Catholics were once more recognized and guaranteed, and a provision was included in the law to permit the endowment of a Protestant church in Canada. The act stipulated that the governor, in granting public lands, should reserve for the support and maintenance of a Protestant clergy lands equal to one-seventh of all those granted in the past or to be granted in the future for other purposes. With the advice of his executive council the governor might erect parsonages or rectories and endow them with part of the clergy reserves. The act of 1791 was the first grant of representative institutions by the Imperial Parliament and reveals some modifications in the British colonial policy which were undoubtedly the effects of the disruption of the Empire less than a decade earlier.

*Criticisms of  
act*

In the light of later experience it seems that the division of Canada into two separate provinces was a political blunder. It left in Lower Canada, subject to French rule, a dissatisfied and ever-growing British minority. Moreover, it prevented the coalescing of the French and English stocks in Canada, and thus served to perpetuate that French nationalism which had been legally recognized in the Quebec Act seventeen years earlier. If the two peoples had remained a part of one political system, they might eventually have become equally strong, and thus compromise would have been imperative. On the other hand, it is possible that the attempt to force the rapidly growing English element to live under the provisions of the Quebec Act might have led to such an extremely difficult situation

that all reasonable compromise would have been out of the question. At any rate, the act of 1791 had the approval of such distinguished English statesmen as the younger Pitt, Edmund Burke, and Charles James Fox. But in the political system it set up in Canada, and in the section dealing with the clergy reserves, the law contained the germs of the most important political controversies of the next half-century.

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## CHAPTER VII

### THE FORMATIVE PERIOD (1791-1812)

*Representative  
government in  
French Canada*

THE first assembly for Lower Canada met in Quebec, in the old bishop's palace, on December 17, 1792. It was opened in grand style, with a military escort, a royal salute, and an address from the throne, before crowded galleries. Owing to Lord Dorchester's absence in England, the formalities were carried out under the lieutenant-governor, Major-General Alured Clarke. At that time the population of the province was something over 161,000. Although the French Canadians had not asked for representative institutions, and had no experience in self-government, the membership of the assembly was of high caliber, consisting largely of merchants, lawyers, and seigniors. In a representative house of fifty members there were thirty-four Frenchmen and sixteen Britishers, so that from the first both English and French were the media of debate, and official records were kept in both languages. The first council was composed of eight French and nine English members.

*Problem of  
British  
minority*

The English population in Lower Canada was in a minority of one to fifteen, and in some of the rural districts the ratio between the English and French elements was one to forty. Moreover, the racial and social differences between the English minority and the French majority were aggravated by a difference in economic interests. The English, for the most part, represented the mercantile interests of the province, while the French element was primarily an agricultural population. Not unnaturally, therefore, the British merchant class advocated a land tax as the best means of raising revenue, while the French landholders preferred a duty on imports. Under the provisions of the Constitutional Act of 1791 the English minority, however small, could generally count on the support of the governor and the legislative council, who were appointed by the British authorities, and without whose consent no policy could be carried out. The executive was independent of the assembly and owed responsibility only to the British government. In short, under the structure of the governmental system it became possible for an official oligarchy, representing a small minority of the population, to nullify the action of the assembly, which registered the wishes of the popular majority. Inherent in this situation was the possibility of long struggles between the popular party and the official party, and between the legislative and the executive branches of the government. Although these controversies did not become acute at once, they contained the germs of the rebellion of 1837. Moreover, political differences of this nature



frequently became quite acrimonious because of the sharp racial cleavage in the population.

In the years immediately following the passage of the Constitutional Act of 1791, danger from external foes largely diverted attention from these domestic difficulties. In the last decade of the eighteenth century, relations between Great Britain and the United States became very strained. England charged the United States with failure to execute various provisions of the treaty of 1783, notably the sections dealing with the Loyalists and with the debts owed by Americans to British creditors since the years before the Revolutionary War. In turn, the United States accused Great Britain of duplicity on the score that British forces continued to occupy a number of posts in the American Northwest. As the frontier settlements of the United States pushed steadily westward into the Ohio valley, serious difficulties arose with the Indian population in these regions. The red man realized that he was being slowly crowded out of territory which he still regarded as his own, even though in earlier negotiations he might formally have surrendered his title to it.

*Dangers from  
without*

Of greater importance was the antagonism which developed among American frontiersmen toward British rule in Canada. The Revolution naturally left a heritage of hatred for England, and this antipathy was carefully nursed by the western pioneer, who charged all his troubles with the Indians to the intrigues and machinations of the fur traders and officials of British North America. Great Britain clung to the northwest posts because they gave her fur-trading interests an important leverage in the trade with the Indians of the Middle West and Northwest. Americans accused the British post commanders and traders of deliberately inciting Indian outrages against the pioneers of the Ohio country; these charges occasionally found confirmation in the seizure of Indian captives whose equipment included British guns and supplies.

*Friction over  
fur trade*

In 1791 Indian depredations and butcheries occurred on so extensive a scale that the new United States government determined to send a punitive expedition into the Indian country of the Northwest. Forces were hastily assembled by Arthur St. Clair, first governor of the Northwest Territory, but they were ambushed and cut to pieces in what is now northwestern Ohio. It was not until 1794 that a new army, carefully drilled under the command of General Anthony Wayne, decisively defeated the Indians in the Battle of Fallen Timbers, in the Maumee valley, near the present-day site of Toledo, and forced the natives to accept a treaty opening nearly all of Ohio to settlement by the whites.

*Indian relations*

During these campaigns the government of Canada was in a constant state of excitement. General Wayne had threatened to attack a British post in the Ohio country if he should find this necessary for the successful carrying out of his military plans. On the other hand, Lord Dorchester had delivered to an assemblage at Quebec a

*Strained  
Anglo-American  
relations*

somewhat ambiguous speech in which he either deliberately incited the Indians to hostility against the United States, or at least discussed the possibility of using them in case of war with Canada's southern neighbor. In this strained situation, further aggravated by boundary disputes and controversies over commercial rights between the United States and Great Britain during the wars between England and France near the close of the eighteenth century, Edmund Randolph, the United States Secretary of State, made Carleton's Quebec address the occasion for the issuance of a formal protest to the British government. The incident, coupled with some difficulties which Dorchester was having with the lieutenant-governor, eventually led to the former's resignation. Lord Dorchester left Quebec on July 9, 1796, after a long and honorable career of service which has won for him in Canadian annals the honor of being known as "the Father of British Canada."

*Anglo-French  
crisis*

While these difficulties were approaching a crisis, England and the new French Republic, established in 1792, had plunged into a war which was destined to continue, with slight interruptions, for the next twenty-five years. Citizen Edmund Genet was dispatched to the United States by the French government, and this enthusiastic young Republican soon won the sympathy of American democrats such as Thomas Jefferson. Differences of opinion concerning the benefits of the French Revolution developed to such a state that the attitude of the United States government toward the French Republic became one of the main causes of bitter party division in the administration of President Washington. But the President wisely refused to be drawn into these European entanglements; when the trouble between England and France was at its height he issued a neutrality proclamation destined to become of vital importance in the development of international law. Genet and one of his successors, Adet, sent agents into Canada to plot against British rule there and to try to enlist the support of the French Canadians under the banner of French Republicanism. Propaganda literature was sent into Lower Canada, there was loose talk of a French invasion of Quebec with the aid of Republicans from the United States, it was reported that the neighboring state of Vermont was buying great stocks of war material in France ostensibly for the equipment of her militia, but probably for use in a raid across the border. With frontier troubles in the Northwest and French intrigues in Lower Canada, these proved anxious years for Lord Dorchester.

*Jay's treaty*

Fortunately, both of these difficulties were soon removed. President Washington, in a final effort to find a peaceful solution for the many Anglo-American problems that were vexing his administration, dispatched John Jay, "the most English American," to England with instructions to effect a satisfactory settlement. Jay was greatly impressed with the seriousness of the situation, and was keenly aware of the responsibility resting upon him to avoid war. He

returned with a treaty which actually settled few of the issues and made its negotiator extremely unpopular among the people of the United States. It did, however, somewhat relieve the Canadian situation, in that it provided for the evacuation of the northwestern posts by the British within a year, and made arrangements for a boundary commission to settle the disputed frontier along the St. Croix River and to the west of the Lake of the Woods.

French intrigues in Lower Canada came to nothing. First of all, Washington's neutrality proclamation of 1793 curbed the ardor and checked the activities of the impetuous Genet as also of the more indiscreet Republicans of the United States who had supported him. In Canada, French propaganda was shattered completely against the rock of opposition presented by the Roman Catholic clergy who had become extremely hostile to the French revolutionary movement. They regarded it not only as a political upheaval, but as an atheistic demonstration calculated to enthrone the Goddess of Reason in place of the Catholic religion. The entire effort of the Canadian clergy was directed toward keeping the poison of French rationalism and agnosticism out of Canada. From this time on, there was a sharp cleavage in spiritual and religious matters between the French in Canada and the French in old France. Many French priests exiled by the Revolution found refuge in Quebec. Throughout the Napoleonic Wars the sympathy of the Church of French Canada was with England rather than with France. One French-Canadian bishop welcomed "all events which tend to broaden the gap separating us from France," and when news of Nelson's victory over the French at Trafalgar reached Canada, a *Te Deum* was sung in the cathedral of Quebec.

*Collapse of  
French  
revolutionary  
propaganda*

Lord Dorchester was succeeded as governor-general by General Robert Prescott, a veteran of the French and Indian War and of the American Revolution. Prescott early became involved in a controversy over landholding in Lower Canada. There was much confusion in the land system as it then existed, most of it traceable to differences between the French and the English systems of tenure. Moreover, much land had been occupied by "squatters" without titles, or was claimed by speculators who often got control of large tracts of vacant Crown lands by fraudulent methods. Prescott became the implacable enemy of the speculators, but the latter had great influence in the governor's executive council. Friction developed into deadlock, and protests against the governor's methods were sent to England. In 1799 Prescott was succeeded by Robert Shore Milnes. He too had many difficulties with his advisers, and was much disturbed by the growing friction between the British and the French elements in the council. When Milnes retired because of ill health, he was succeeded by Sir James Craig.

*Prescott and  
Milnes*

Craig had served as a soldier for forty-five years in North America, South Africa, India, and Italy, and he brought to his new duties, in 1807, the psychology of the military commander who is accustomed

*Sir James Craig*



to giving orders, and is not accustomed to criticism and opposition. Under his governorship the racial antagonisms of Lower Canada became especially marked. Craig was particularly irritated by the criticisms of *Le Canadien*, a newspaper established in 1806 as the exponent of that French-Canadian nationalism which found its best expression in the motto, "*Notre langue, nos institutions et nos lois.*" Craig became sufficiently aroused to arrest the printers and three of the proprietors on charges of treason. He suppressed the journal.

*Party politics*

During Craig's administration party lines began to take definite form. On the one hand was the Tory or official party, strong among the commercial classes of Quebec and Montreal, fervent in loyalty to the Crown and to British institutions, and extremely intolerant of French customs and religion, which were considered evidences of a less progressive civilization. It was this small Tory group which commonly had the ear of the governor and the legislative council. In opposition to them was the French-Canadian party, growing rapidly in numbers and power, established on the principle of preserving French institutions and the rights of the French race in Canada. Its strength lay in the assembly. As in earlier British colonial history, when the struggle for power developed between these two groups, it came to center more and more around the assembly's demand for control of the purse.

*Craig and popular party*

Governor Craig was anxious to break down this French-Canadian popular opposition. In 1809 he summarily dissolved the assembly elected during the preceding year, because of the party bickerings that had developed during its sessions. The French party retaliated with the charge that the governor had most outrageously and autocratically interfered with their long-standing rights and privileges. When a new assembly was chosen, it proved to be more obstreperous than its predecessor, promptly inaugurating a fight for the control of appropriations, and for the right to bar judges from membership in the assembly. In 1811 Craig was recalled. He was a not uncommon example of the failure of a successful military man when thrust into a civil office. His successor was Sir George Prevost, a man of a much more conciliatory temperament. By the time the new governor assumed his duties, the war clouds of 1812 were already black on the horizon.

*Simcoe—  
empire-builder*

The first lieutenant-governor of the Loyalist Province of Upper Canada was Lieutenant-Colonel John Graves Simcoe, also a veteran of the American Revolution, and an ardent imperialist. He arrived in Kingston on July 1, 1792. Counties were created at once for the election of representatives to the assembly. The first assembly, consisting of sixteen members, was opened at Newark (Niagara) on September 17, 1792. Simcoe valued the impressions made upon the public mind by ceremony, and so he opened his little parliament, in the wilderness capital, with a military procession, the booming of cannon, and an address delivered from a throne built for the occasion.



Laws were passed immediately to provide for the construction of court-houses, and for the introduction of English civil law, legal procedure, and trial by jury. A system of courts was created, and the foundations were laid for local government. Suggestive of frontier conditions, a law was passed legalizing all marriages which had been irregularly contracted because of the absence of a regular clergy in these pioneer settlements. Plans were also made for the establishment of mills, and for the more rapid settlement of the region.

*Early laws of  
Upper Canada*

Simcoe necessarily was greatly interested in the matter of defense. He had an abiding faith that the Loyalists would become the backbone of a British Canada, but he also planned new settlements constructed around detachments of troops as nuclei. He spent much energy in promoting the building of military roads and bridges, and to the great dismay of the Loyalists he even encouraged on occasion, the migration of new settlers from the United States. Among the 30,000 settlers who came into Canada during the five years of the Simcoe régime were many German Mennonites, Quakers from Pennsylvania, disappointed Loyalists from Nova Scotia, and some emigrants from the British Isles.

*Problems of  
defense*

Many of Simcoe's plans were difficult to carry out under the primitive conditions which prevailed during his time. His self-assertion, coupled with the difficulties of communicating with Quebec, led to friction with Lord Dorchester. Moreover, some of his views on government proved too advanced for the home authorities, and in July, 1796, he relinquished his post.

*Simcoe's  
retirement*

After an interregnum, during which the capital was moved to "muddy" York (Toronto), Simcoe was succeeded by General Peter Hunter. The latter's sudden death in 1805 brought another brief interregnum, and during this period the senior member of the council performed many of the duties of the governor. Lieutenant-governor Francis Gore arrived in 1806. It was during his term of office that the first rumblings of opposition to the governing clique, which had come into control of the council in the time of Simcoe, became noticeable.

*Interregnum*

In Upper as well as Lower Canada a popular party was arising in protest against the autocratic powers of the governors, and against the clique of Loyalists who were beginning to monopolize the control of the executive and legislative councils, which frequently used their powers to stifle the public will as expressed by the elective assembly. The agitation against a governing oligarchy was greatly augmented by the steady influx of settlers from the United States and Scotland, whose more democratic tendencies and experiences soon set them at odds with the privileged class of Loyalists. This early opposition was led by men such as William Weekes, an Irish lawyer who had been for a time in Aaron Burr's law office in New York, and Robert Thorpe, an Irish judge, but the agitation made comparatively little headway in the period before the War of 1812. Before

*Rise of party  
politics*

the opening of hostilities with the United States, Major-General Isaac Brock had succeeded Gore as the lieutenant-governor of Upper Canada.

*Progress in  
maritime  
provinces*

During this same period political developments very similar to these noted for Lower and Upper Canada were taking place in the smaller provinces of Nova Scotia, New Brunswick, and Prince Edward Island. Although the Loyalist population of Nova Scotia remained intensely conservative and devoted to the Crown, this did not prevent some friction between the elective assembly and the appointive council. In New Brunswick, where the first assembly convened in 1786, very slow progress was made in internal development. For twenty-five years little was accomplished in the way of road-building, and the rivers continued to be the most important means of transportation. Nor was there any real self-government in the sense that those charged with the administration of provincial affairs were responsible to the people. The long terms of office of the appointive councillors served to nullify the wishes of the elected assembly as effectively as in the other provinces. An inner ring began to dominate the government, so that the years before the War of 1812 were filled with the familiar tales of conflicts between the various branches of the government. Because of the extremely slow development of the province, many of the original settlers left for Upper Canada or the United States in search of better opportunities. The history of Prince Edward Island during these years presents nothing of particular importance to be noted here.

*Trade*

The period between the passage of the Constitutional Act of 1791 and the outbreak of the War of 1812, if we consider the British North American provinces as a whole, was a time of slow but steady material progress. The fur trade was still the most important industry of the Canadas, and until 1825, when the building of the Erie Canal across New York State vitally altered the situation, a large part of the American fur trade in the west used the St. Lawrence system as an outlet for its products. Jay's treaty of 1795 opened inland navigation to the inhabitants of both countries, and removed some of the restrictions hampering trade with the United States, but some of the commercial interests of Canada continued to demand even greater freedom of trade. After 1783 the British government applied its mercantile system and its navigation acts to the United States, thus excluding American shipping from the British colonial trade. This arrangement helped to stimulate closer trade relations between British North America and the West Indies, where British-American shippers and traders slowly began to displace their rivals from the United States.

*Economic  
problems*

The division of import duties between Upper and Lower Canada became a serious issue between the two provinces. Most of the trade of Upper Canada passed through the ports of Lower Canada, where the duties were collected, and the equitable division of this public

revenue was a source of almost constant irritation. The currency was still in an unsatisfactory condition, the lack of a circulating medium was the chief handicap to prosperity, and banks were sadly needed. Much of the inland trade was still carried on by barter. In Upper Canada, especially, many abuses were arising in connection with the public land system, and thousands of acres were passing under the control of speculators who had no intention of using the land for settlement. By 1804 no less than 4,500,000 acres had been alienated in Upper Canada alone.

Transportation and communication were still in a primitive stage. Postal rates continued to be high. A single letter, consisting of one sheet of paper weighing less than an ounce, could be sent from Montreal to Quebec for eight pence. After 1789 post-office stations were opened in Upper Canada, but for a time the courier made but one regular trip a year, traveling on snow shoes in winter and by boat in the open season. It was not until 1810 that a fortnightly courier service was arranged between two points as near each other as Montreal and Kingston. Letters coming across the ocean either arrived in the mail packets (private boats), or else were carried over by the ship's captain, usually at a charge of a penny a letter. As late as 1820 a single letter was carried from London to Quebec by packet for ninety-two cents, and from London to Toronto for \$1.12, although the cost was much less if the mail went by American lines.

*Difficulties of communication*

Travel and transportation were limited to river traffic or to the crude and often dangerous roads which had been projected through the new country. After 1808 coaches pitched over the rough roads between Montreal and Kingston, but it was not until almost a decade later that stage-coaches were running between Kingston and Toronto. It was not until 1826 that a stage-coach was operated regularly between Niagara and Toronto. Stumps laid over muddy parts of the route formed "corduroy roads," over which the coaches rolled and plunged, while the passengers inside strove desperately to maintain their equilibrium. As late as 1838 the trip from New York up the Hudson to York required six days and three nights. As late as 1809 the *bateau* was the only means of river transportation between Montreal and Kingston. In that year American traders from the Mohawk valley introduced the Durham boat, a long, flat boat propelled by poles and larger than the older *bateau*. The Durham boats and the French-Canadian *bateaux* carried most of the commerce of the St. Lawrence between Upper and Lower Canada. Schooners, however, were beginning to replace the *bateaux* on Lake Ontario, and sailing vessels began to carry furs through the Great Lakes.

*Modes of travel*

In 1809, two years after Robert Fulton's experiment on the Hudson River, the first Canadian steamboat was launched. Built by John Molson, David Bruce, and John Jackson, it was known as the *Accommodation* and managed to generate six horsepower and a speed of five miles an hour. The fare from Montreal to Quebec was eight

*Steamboat*



dollars. When the ship's engines proved too weak, teams of oxen pulled her past the troublesome rapids in the river. In 1811 the *Swiftsure*, equipped with engines of twenty-eight horsepower, was procured from England. In 1817 the first steamer on Lake Ontario traveled from Kingston to Toronto, and during the next year the United States steamship *Walk-in-the-Water* made the first trip on Lake Erie from Buffalo to Detroit by steam. The fare for cabin passengers was eighteen dollars and for steerage seven dollars. The boat was able to maintain an average speed of seven and a half miles an hour, and carried a four-pounder on board to announce her approach to the gaping throngs on shore. In spite of these early attempts, steamboat navigation on the lakes did not have its real beginning until after 1830.

Exploring  
Far West

In the Far West considerable progress was being made during these years in the exploration of new regions. Great Slave Lake had been discovered by Samuel Hearne in 1771, and Peter Pond reached Lake Athabaska in 1778. After the fall of Quebec the fur traders of the Hudson's Bay Company no longer had to confine their activities to the Atlantic coastal plain. The company now sent out men into the Far West, and northward toward the Arctic Ocean. Fur traders of the Northwest Company, one of its competitors, also reached the Pacific.

In 1792-1793 Alexander Mackenzie, one of the greatest of the explorers of the Canadian West, reached the Smoky River, ascended the Peace River and the Parsnip, by portages and overland marches crossed the mountain ranges, and in the summer of 1793 reached the entrance to Vancouver's Cascade Canal. Some years earlier the same explorer had followed the Mackenzie River to the Arctic Ocean. In 1807 an employee of the Northwest Company, thinking he had struck the Columbia, followed the Fraser River almost to within sight of the Pacific Ocean, in a latitude near the present international boundary between the United States and Canada. By 1811 David Thompson, who spent twenty-eight years as an employee of the Hudson's Bay Company and the Northwest Company, finished a careful survey of the Columbia River, and left to posterity a good map of the Pacific Northwest, as well as forty-five volumes of journals. During the same period others were trying in vain to find a way to sail through the Arctic Ocean. Expeditions of this kind meant new contacts with Indian tribes, and a constant expansion of the fur trade.

Life of people

The life of the people changed but little during the period under discussion. In Lower Canada the French Canadian continued to live on his farm as his forefathers had done, although the lumber industry was beginning to develop in some sections of the province. In spite of the fact that the Jesuit society had been suppressed by the British, and many other orders were suffering from a lack of new recruits, the parish priest and the ecclesiastical hierarchy continued to dom-



inate the life of the people in all its phases. Educational facilities were very meager, and for a time they actually decreased because of the disappearance of religious orders which formerly operated the schools. The Catholic clergy dominated those educational institutions which still existed. Most of the population remained illiterate.

The towns continued small, particularly in Upper Canada. Kingston had less than 1000 inhabitants before the War of 1812, and York (Toronto), the new capital, had approximately 800. Upper Canada was primarily a pioneer community, where a simple agriculture was carried on by primitive implements, commonly made out of the wood cut in the local forests. Gradually, however, some few comforts began to penetrate even this primitive backwoods province. In 1794 the first brick house was built in Upper Canada. Local "fairs" were arranged in many places, and added to the comforts and social opportunities of the people. Schools were opened in many settlements such as Toronto, Kingston, and Niagara, and gave evidence of the interest of the Loyalist settlers in educational and cultural matters. By 1816 at least a beginning had been made in the development of a common schools system, but the methods of instruction in these pioneer schools and the equipment of their teachers left much to be desired. Textbooks were rare and teachers' salaries extremely low. Moreover, it was expected that the teacher, often a broken-down soldier addicted to drink, would take part of his compensation by "boarding around" among the parents of his pupils.

Towns

The settlements of Upper Canada were by 1812 distributed over a strip of territory from six to fifty miles wide, extending for 500 miles along the waterways from the Ottawa to the Detroit River. The total population of the province was about 90,000 and consisted not only of the English Loyalists, but also of Glengarry Highlanders, German Mennonites, some French Canadians along the Detroit River, and numerous recent arrivals from Great Britain and the United States. Indeed, the British and the American settlers constituted two rather sharply defined elements in the population. The life of the people differed little from that of any pioneer section in the neighboring United States.

The first newspaper to be established in Upper Canada was the *Gazette*, which made its appearance at Newark in 1793. There was no daily paper in the province before 1836, although by 1830 Upper Canada boasted of twenty newspapers. The first paper established in French Canada was the *Quebec Gazette*, founded in 1764 by two Philadelphia printers. The paper had a troubled existence; the present-day *Quebec Chronicle* claims to be its direct descendant. Owing to the difficulties of communication with Europe, especially during the winter months, and the prevailing journalistic ideals of the time, many of the papers filled their columns with "the refined amusements of Literature," and "the pleasing views of well-pointed

Newspapers

wit," so that "the youth of both sexes will be improved and persons of all ranks agreeably and usefully entertained."

Formative  
period

The period from 1791 to 1812 was one of adjustment and slow growth, during which the political machinery of the Constitutional Act of 1791 was set in motion, and the foundations were laid for an English system of government in Canada. There were signs of discontent before 1812, and evidences that the machinery was beginning to creak, but the agitation for reform was temporarily halted by the call to defend the soil of British North America against a foreign foe.

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## CHAPTER VIII

### THE WAR OF 1812

THE War of 1812 is one of the most unsatisfactory episodes in the long story of Anglo-American relations. It was not desired by the British, and it was not popular with a large and important element of the population of the United States. It contributed little to the military and naval glories of either power, and for the United States it was full of many disgraceful defeats. The one great American military victory was gained by poorly disciplined frontiersmen when the war was officially over. The treaty of peace made no reference to the reasons for which the United States government had entered the war. Only in Canada have the memories of the war been rightly cherished, and Canadian historians point with pride to an heroic and successful defense of their long frontier against a much more powerful invader.

*War of 1812*

The ostensible and immediate origins of the War of 1812 are to be found in the controversies over the neutral rights of the United States during the Napoleonic Wars, and in the prevalent attitude toward Great Britain in the western sections of the United States.

*Causes*

With the renewal of war between France and England, after the rupture of the Peace of Amiens in 1803, the trade of the United States, the only great neutral nation which had an important merchant marine, and was not involved in the war, grew by leaps and bounds. Much of this commerce was in the form of goods originating in the French, Spanish, and Dutch West Indies, carried to United States ports, and then reexported as American goods in order to avoid capture by the navies of the belligerents. The United States contended that goods reexported from her own ports were neutral goods, and that such neutral goods, carried in neutral bottoms by the American merchant marine, were not subject to seizure. The tonnage of United States shipping increased very rapidly during these years, while the unusually prosperous conditions prevailing in American ports attracted ships and sailors into the American service.

*Expansion of  
United States  
commerce*

English shippers soon became alarmed by this phenomenal expansion of American shipping and commerce, and by 1805 the British courts reversed their earlier attitude and began to authorize the seizure of goods shipped between Europe and the West Indies, *via* a United States port, on the ground that the principle of the "broken voyage," when applied to goods that were clearly never intended for the United States, could not protect such shipments from seizure. England now began rigorously to apply the "Rule of 1756" (which

*British  
commercial  
restrictions*



declared that trade not open to a nation in time of peace could not be legally opened to it in time of war) to cargoes carried by United States ships between the French and Spanish West Indies and a European port.

War of decrees  
and orders

To increase this difficulty, which the United States government sought in vain to correct by diplomatic negotiations, England and France soon began a paper war of orders and decrees, by which each tried to starve the other into quick submission, and during which neither showed much concern for the technical rights and claims of neutral nations. Napoleon's Berlin Decree declared the British Isles in a state of blockade; Great Britain retaliated by a "paper blockade" closing the coast of Europe from Trieste to Copenhagen, unless neutral shipping should first stop at a British port and submit to certain regulations; Napoleon replied at once with the Milan Decree to the effect that all ships submitting to these British regulations would be liable to seizure by the French. If these orders and decrees had been rigidly enforced, the trade of the United States with Europe would have been virtually ruined. Neither power, however, was able to enforce its measures, and although these "paper blockades" led to many irritating captures, American trade continued to develop, and made large enough profits from increased rates to compensate for the loss of an occasional ship. The American government repudiated these orders-in-council and decrees as contrary to international law, insisted that the British Rule of 1756 was illegal, and that "neutral ships make neutral goods."

Napoleon's  
policy

It is difficult to determine whether England or France was the worst offender against the rights of the United States. Napoleon's object clearly was to involve the United States in war with England, and to make the American republic the "ally of the Corsican plunderer." French decrees against neutral commerce were applied most treacherously, millions of dollars worth of United States property was confiscated, and if the number of ships seized by the French in the five years before 1812 is compared with the number captured by the British during the same period, little room is left for a choice between the two offenders.

Impressment

Another controversy, which served as a *casus belli* against England, was that of impressment. This was not a new quarrel between Great Britain and her former possessions. England still contended that British allegiance was inalienable, and frequently resorted to force in keeping the crews of her ships at full strength. Owing to the hard and often oppressive conditions of service that prevailed on British men-of-war, hundreds of British sailors deserted. In the 1780's, and again after 1793, England began to search United States vessels on the high seas for deserters from her navy, and after 1803 the question of the impressment of American seamen again became acute. The better conditions of employment, and the higher wages offered by the prosperous United States shippers during this period of trade ex-



pansion, attracted many British subjects into the American merchant marine. A number managed to secure false papers from local magistrates in the United States, certifying that they were American citizens. Indeed, these certificates were sometimes sold or transferred for a small fee. Moreover, because of the use of a common language it sometimes proved very difficult to distinguish between an American and a British seaman.

The United States government tried unsuccessfully to get the British government to admit the principle that the American flag covered the crew, but Great Britain clung tenaciously to the theory of an inalienable British citizenship, and insisted upon the right of her men-of-war to search foreign vessels on the high seas for deserters from the Royal Navy. Errors were easily made, and required a long time to correct. The practice of impressment led to irritation, hardships, and real suffering for those who were its victims.

*American  
contention*

In 1807 a crisis in Anglo-American relations resulted when the British ship *Leopard*, with orders to intercept the American battleship *Chesapeake* and search for deserters, raked the decks of the American vessel, killed three and wounded eighteen, and then took off four British deserters who were found among the crew of the unfortunate cruiser. Only the firm determination of President Jefferson to avoid war at all hazards prevented a declaration of hostilities at this point, for the nation was inflamed by what it considered a flagrant insult to its national honor; but Jefferson preferred the channels of diplomacy and a policy of "peaceable coercion." By the latter he meant a self-imposed embargo on United States products, until such a shortage of American products would be created in Europe that both belligerents would be willing to come to terms with the United States, rather than continue to be deprived of products which Jefferson believed were indispensable to England and France alike.

*Chesapeake-  
Leopard affair*

It is unnecessary to follow in detail the long and painful negotiations of Jefferson's government, and that of his successor, James Madison, in the vain endeavor to get a modification of the war practices of the belligerents. Nor is it necessary to discuss the treacherous policies of Napoleon, by which he tried to take advantage of American retaliatory legislation in order to manœuvre the United States into a declaration of war against England. After all, the war cannot be wholly explained by a reference to these interferences with American commercial rights, irritating and serious as they were.

*Policy of  
Jefferson and  
Madison*

The war was not simply, nor perhaps primarily, a struggle to preserve the neutral rights of the United States. British violations were greatest in 1805, 1807, and 1809. By 1812, when war was finally declared, the British Parliament was ready to make sweeping concessions to the American demands, and the offensive orders-in-council were actually repealed two days before the United States Congress declared war. It was extremely unfortunate that the United States had no minister either in France or in England in 1811, to keep in constant

*Non-commercial  
war*

touch with these new developments. As has been suggested earlier, a war to vindicate the national honor of the United States should certainly have included a declaration of hostilities against France as well as against Great Britain. Moreover, the trouble over impressments had reached a crisis in 1807, and the grievances of the United States were less acute in 1812 than they had been immediately after the *Chesapeake-Leopard* affair. England, suffering from a rapidly mounting war debt, a disruption of her trade, and rising prices, did not care to add to her military burdens in 1812 by aligning the United States among her enemies. On the other hand, a large portion of the Americans, and especially commercial New England, were opposed to war.

*Real clue to war*

Although the war was technically fought on the issue of impressments, the real clue to the declaration of war against England, at a time when practically all commercial grievances were on the point of settlement, may be found in the situation prevailing in the new American West, beyond the Alleghenies. Here the ever-present Indian menace was charged to British influence in Canada, and this, coupled with a characteristically frontier spirit of expansion which sought the territorial conquest of Canada, seems to furnish the explanation for the beginning and the continuance of the war when England was apparently ready to make sweeping concessions on all the other points at issue, save impressment.

*War Hawks*

The Congressional elections of 1810 in the United States marked the triumph of an insurgent movement in the Jeffersonian Republican party, which was in part a protest against the weak and vacillating conduct of Jefferson and Madison during the diplomatic controversies with England and France, and in part an evidence of the political influence and patriotic optimism of the "New West." Nearly one-half of the old members of Congress, many of whom had supported the pacific conduct of Presidents Jefferson and Madison, failed to be re-elected. Among the new men who now entered the arena of federal politics were Henry Clay of Kentucky, Felix Grundy of Tennessee, Richard M. Johnson of Kentucky, Peter B. Porter of New York, and John C. Calhoun of South Carolina, all of whom soon became famous as national leaders. Most of them came from the West, and favored a more vigorous policy in defense of American rights. Henry Clay was elected to the powerful position of Speaker of the House of Representatives in 1811, and hence was able to exercise a great influence on the course of legislation. The House of Representatives' committee on foreign relations was promptly set to work on a detailed survey of Anglo-American relations; their report clearly was drawn to please this new group of "War Hawks" who held the balance of power in Congress.

*Indian menace*

The events of 1811 on the western frontier helped to confirm the westerners in their conviction that British power would have to be expelled from North America before the frontier could have peace. The irresistible advance of the white men into the Indian country once

more stirred one of the greatest of Indians to attempt the formation of an extensive Indian confederacy to stop further encroachments on their hunting-grounds. This new leader, Tecumseh, was perhaps the greatest statesman the Indian race has produced. He journeyed up and down the Mississippi valley, trying to perfect his confederacy, while his brother, the "Prophet," preached a new religion which called upon the Indians to return to their original simple life and to free themselves from the vices which resulted from alien contacts.

William Henry Harrison, governor of the Indiana Territory, remained adamant to Tecumseh's pleas for the recognition of the Indians' possessions as a basis for an honest and permanent peace. In the fall of 1811, during Tecumseh's absence among the Indians of the south, Harrison began the military occupation of some land ceded by the Indians under treaty two years before. He literally stumbled into a battle with the Indians, under the Prophet, at Tippecanoe. Harrison suffered great losses in beating off the Indian attack, but the alleged victory did good service later, in 1840, when Harrison ran successfully for the presidency of the United States, as the victor of Tippecanoe. British guns and supplies were found on the natives killed or captured in this engagement, and the westerners were more than ever convinced that Tecumseh's plans were traceable to a Canadian source, and that the British must be expelled from Canada. As a matter of fact, the authorities in Canada, in order to control the fur trade and to retain the friendship of the Indians, did distribute yearly supplies, and sometimes arms, among the native population, and the Hudson's Bay Company carried on trade in the Indiana Territory, but both the government and fur-trading companies always insisted that their policy uniformly aimed at the maintenance of peace on the frontier.

*Tecumseh and  
Tippecanoe*

The West determined to seize the opportunity for war with England in order to conquer Canada, to break the strength of the Indians, to deprive them of their British allies, and thus to end forever the Indian menace on the frontier. Coupled with this policy relating to what may be called an offensive against Canada for defensive purposes, was a strong desire to realize the "manifest destiny" of the United States to bring all of North America under its jurisdiction. Evidence of this western imperialism, which contemplated the annexation of Florida to the south and Canada to the north, is not difficult to find, particularly in the Congressional debates preceding the declaration of war.

*New West's  
demand for war*

Henry Clay, early in 1810, declared that the conquest of Canada was within the power of the militia of Kentucky alone, and added: "I am not for stopping at Quebec or anywhere else; but I would take the whole continent. . . ." In the debate on the report of the House committee on foreign relations every phase of the Canadian situation was thoroughly aired. There was discussion of Canada's monopoly of the western fur trade and her consequent wealth, of her influence over the western Indians, of the discontent which was optimistically assumed

*Henry Clay  
and conquest of  
Canada*



to exist among the Canadian people, and of the mission of the United States to extend republicanism to the North Pole.

Peter Porter, chairman of this committee, called for "the destruction of the British fisheries, of British commerce with America and the West Indies, and the conquest of Canada," while Felix Grundy of Tennessee declared his willingness to "receive the Canadians as adopted brethren." The United States Secretary of War announced that "We can take Canada without soldiers," while the venerable and pacifist Jefferson believed that "the acquisition of Canada (was) a mere matter of marching." Richard M. Johnson, a representative from Kentucky, pointed out that "The waters of the St. Lawrence and the Mississippi interlock in a number of places, and the great Disposer of Human Events intended those two rivers should belong to the same people," while many newspaper discussions reflected the sentiments of a correspondent who wrote in the Nashville *Clarion*, in 1812, that "The Canadas, freed from the chains of an European master, shall take the rank of an independent state; or, too weak for sovereignty, shall hover under the wings of the American eagle. . . ."

Shortly after the triumph of the "War Hawks" in the elections of 1810, President Madison began to urge preparedness measures for war. On June 18, 1812, at the moment when the British government, for the first time in ten years, was willing to remove the serious obstacles she had placed in the way of American trade, the United States declared war. President Madison's war message, which enumerated the various points at issue between the United States and England, included a reference to the Indian troubles in the West and assumed that British influence was responsible for them. After the repeal of the British orders-in-council, the only two possible grievances left against England were impressment and alleged British intrigues in the West. Clay likened the jubilation of this section, when war was declared, to the enthusiasm and fervor of the crusading ages.

In spite of American optimism the declaration of war found the United States quite unprepared. In the first place, there was cleavage between the commercial interests of New England and those of the rest of the country. In Massachusetts, flags were placed at half-mast when "Mr. Madison's War" was declared, and as the war progressed it became increasingly difficult to get either men or money from the New England states. War loans were most difficult to raise. New England contractors sold beef to the British armies in Canada, and a few bankers of extreme views actually bought British treasury notes in preference to United States bonds. The United States army in 1812 consisted of not quite 7000 men. It was commanded largely by superannuated officers of the days of the Revolution and "politicians in uniform." The secretaries of war and of the navy were incompetent, and the President totally lacked those qualities which make a successful "war president." Moreover, Congress, in spite of its en-

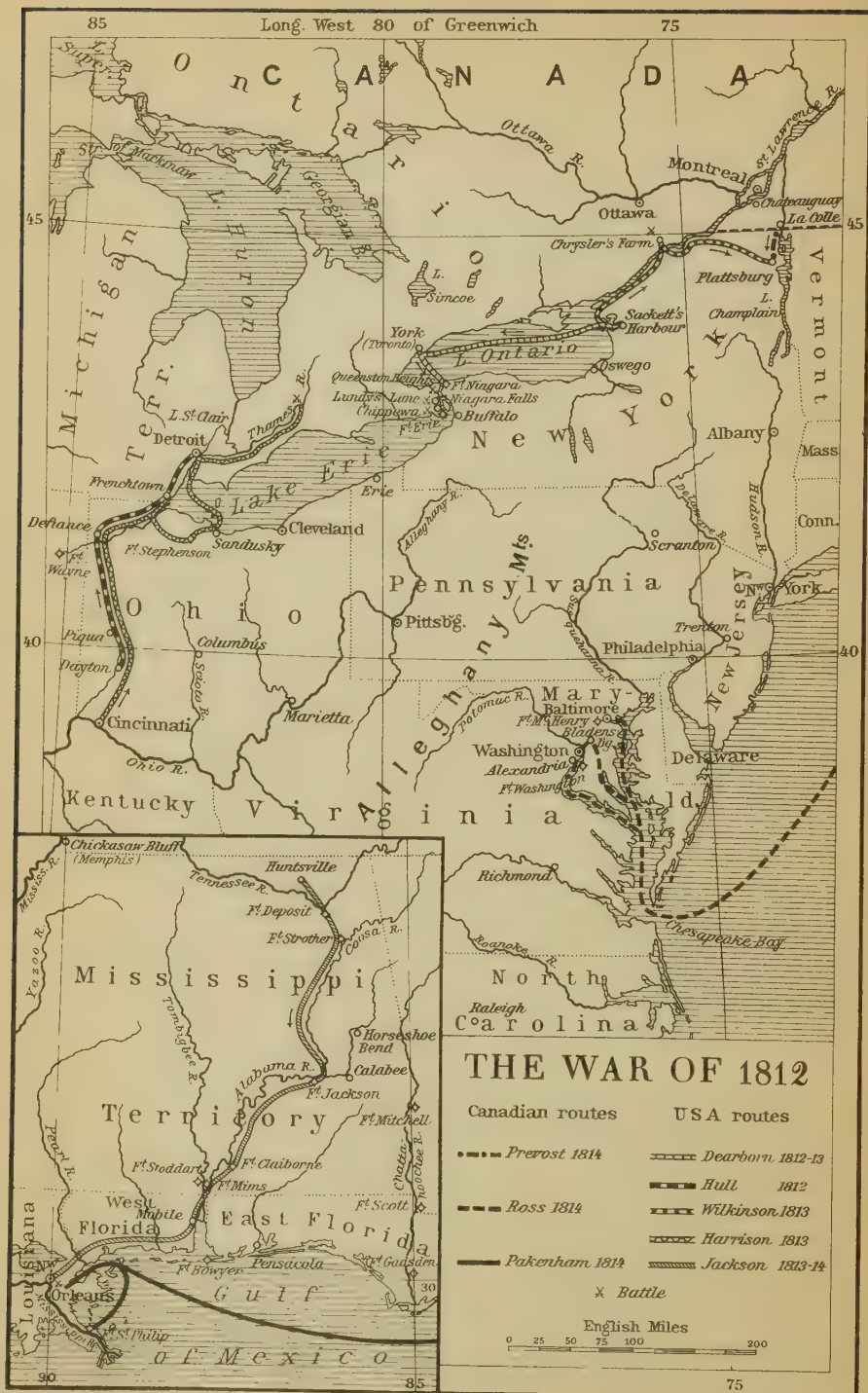
*American  
"manifest  
destiny"*

*President  
Madison's  
war message*

*Preparedness of  
United States*







thusiasm for war, steadily refused to pass war taxation and other financial legislation necessary to carry on the war efficiently.

The militia was at best an uncertain quantity, usually little better than an "armed mob." Most frontiersmen were good shots, courageous, and able to endure the hardships of campaigning, but they found it difficult to submit to the discipline of their officers, who were usually elected by vote, according to the prevailing passion for democracy. There was much friction between regiments of militia and regiments of the regular army. The United States navy had been allowed to decline under Jefferson's policy of rigid economy. Some of the ships, particularly Jefferson's coast guards, known as the "Mosquito Fleet," proved absolutely worthless. But the fortunate existence of a large sea-faring population, as also of a great merchant marine from which privateers and crews could be obtained, made the problems in the navy less difficult than those in the army.

*Military  
and naval  
resources*

Canada faced a very difficult problem of defense in 1812. Her population was hardly more than half a million, and among these were many French Canadians and recent immigrants from the United States, whose attitude toward the war some were disposed to distrust. In every respect Canadian resources were greatly inferior to those of the United States, perhaps in a ratio of fifteen to one. There were 4450 British regulars in Canada in 1812, for the defense of a frontier extending for 1000 miles beyond Montreal, although in General Isaac Brock the British had a commander whose genius was worth regiments of soldiers. Furthermore, the difficulty of moving troops along a wilderness frontier, where roads and bridges were almost unknown, added greatly to the problems of the United States army staff and served as a real help to the Canadian defenders.

*Canadian  
defense*

The total number of Canadian regulars available was 4000. These were men who had been called out for annual muster. Of the militia, in spite of their excellent response, probably not more than 4000 were ever in action, the rest having been used for relief purposes and to protect lines of communication. In the West, Tecumseh led his Indians into the British camp, and they served as useful allies, especially in the Detroit campaign. All in all, there were probably not more than 12,000 men to meet the first shock of the invading armies from the United States.

*Military  
resources*

The plan of the United States was to make a three-headed attack on Canada. Major-General Henry Dearborn was to proceed down the Lake Champlain route and seize Montreal. An army under Stephen Van Rensselaer, a militia commander from New York who represented the politician in uniform, and Alexander Smythe, a regular army officer, was to invade Canada at the Niagara line, while General William Hull, who represented the class of superannuated revolutionary officers, was to seize Detroit and invade the peninsula of Canadian territory lying between Lake Erie and Lake Huron. It was hoped that these great strokes might be executed simultaneously, in

*American plan  
of invasion*

which case the way would lie open for a great victorious march through all of Canada. Obviously, the success of these plans depended on perfect coöperation and simultaneous attacks at all points.

*Campaign of  
1812*

The first year (1812) was almost a continuous success for Canada. Dearborn's expedition, after many delays, got as far as the Canadian line. Here his militia refused to cross to foreign soil, and Dearborn was compelled to return to Plattsburg, New York. At the Niagara frontier, Van Rensselaer and Smythe found it impossible to coöperate and their attack was consequently delayed. General Hull's attack at Detroit was doomed to failure, due to the fact that he got no co-operation from the United States troops who were supposed to attack along the Niagara front. Thus General Brock was left free to concentrate his forces at Detroit. Moreover, the United States had no fleet on Lake Erie to protect Hull's line of communication. Hull, who had begun the advance, soon became alarmed by this state of affairs and retreated into Detroit. Brock, upon the arrival of reinforcements, at once began an offensive and demanded the surrender of Detroit. To his great surprise, Hull capitulated in August, 1812, without having fired a shot, and 2000 Americans surrendered to Brock's force of 1300 men, of whom almost one-half were Indians. Together, Brock and Tecumseh, the commander of his Indian allies, entered Detroit in triumph. On the preceding day a small force of Americans evacuated Fort Dearborn (Chicago), and were promptly massacred by the Indians. In July the control of the Straits of Mackinaw, important because of its influence on the Indians in this vicinity, had fallen into the hands of a small British, Canadian, and Indian force, and this post remained under British control to the end of the war.

*On Niagara  
frontier*

Within a week after the capitulation of Detroit, Brock was at Niagara, where the United States troops were trying to get in motion. Brock's command consisted of 1000 regulars, 1000 militia, and some Indians. Opposed to him was a force of nearly 7000. On October 13, the Battle of Queenston Heights began. At first victory seemed to perch on the banners of the United States, but in the end, largely due to the utter failure of the regular and militia commanders to co-operate, the battle closed with a defeat for the United States troops. Over 900 Americans were left stranded, to become prisoners on the Canadian side, while the British loss numbered 126, including the brilliant Brock. The spectacular single ship naval engagements won by the Americans in the early months of the war were a slight compensation for this series of military failures.

*Campaign of  
1813*

In 1813 the United States determined to try once more the three-headed attack which had failed at every point during the preceding year. In the West General Harrison in the fall of the year was able to force the British out of Detroit, after Captain Oliver Hazard Perry had defeated the British fleet on Lake Erie, in a brilliant battle, with a squadron of six vessels, built on the lake, and slightly superior to the British ships. Harrison followed the retreating British and



Indian forces into Ontario, up the Thames River, and finally defeated Colonel Proctor's men in a battle in which Tecumseh was killed. Again it was impossible to follow up this initial advantage, because many of Harrison's militiamen promptly set out for home.

Farther to the east, United States troops in April captured York, the capital of Upper Canada, and burned the parliament buildings. In December an American detachment burned Newark, and left the inhabitants homeless in the dead of winter. For this act of vandalism, which was disavowed by the Washington government, the commander of the troops lost his commission. In the campaign for Montreal the most notable event was the Battle of Chateauguay, where 900 French Canadians and 200 Indians under De Salaberry repulsed a force of at least 3000 invaders under the command of Wade Hampton. Another United States army, under General James Wilkinson, was repulsed in the Battle of Crysler's Farm. It was in 1813 also that the effect of the British blockade of American trade began seriously to be felt in the United States.

*American  
failures*

The campaign of 1814, from the military standpoint, was more favorable to the United States. By this time many of the incompetents had been weeded out of the American army. In July, 1814, the invasion of Canada along the Niagara frontier was renewed, under the command of General Jacob Brown. Crossing just below Fort Erie, which easily fell into his hands, Brown encountered the British at Chippewa. The American militia quickly dispersed under the fire of the British, but United States regulars under Winfield Scott valiantly held their ground. The British suffered heavy losses and retired from the field, permitting Brown to reach Queenston. When reinforcements failed to arrive, Brown retired to Chippewa. At Lundy's Lane the forces of Scott and Brown combined against an inferior British army, and one of the best battles of the war, from the standpoint of military tactics, was fought. The Americans seemed to have the advantage in the engagement, but on November 5, after blowing up Fort Erie, they recrossed the river and went into winter quarters on the American side. The fighting along the Niagara River ended in a draw, with both forces exhausted from the strenuous campaigning. Along the upper St. Lawrence River the contending armies remained on their own sides of the line, while from Montreal to the sea the frontier was entirely free of soldiers.

*Campaign of  
1814*

It was in the last year of the war that Great Britain determined to take the offensive in America and "give Jonathan a drubbing." Freed temporarily from the menace of Napoleon in Europe, for the first time she was able to concentrate on the struggle taking place on this side of the Atlantic. Her blockading fleet now began to strangle the trade of the United States, and her troops prepared to occupy the enemy's country.

*British  
offensives*

In September, 1814, a British force, supported by a sea attack, invaded Maine, and on September 21 the annexation of "all the

*British  
invasions*

eastern side of the Penobscot River and all the country lying between the same river and the boundary of New Brunswick," was proclaimed. In the meantime an army of ten thousand veterans from the European campaigns, under the command of Sir George Prevost, started for Plattsburg, New York, along the familiar Lake Champlain route. By September 6, Prevost was before Plattsburg, but instead of attacking at once he waited for the arrival of Captain George Downie's naval force which had just been completed and was coming down Lake Champlain. The British force, however, was totally annihilated by an American squadron half its size, and Prevost, after a rather half-hearted offensive, retired to Canada.

*Capture of  
Washington*

In August, 1814, a British fleet entered Chesapeake Bay, and landed an army under the command of General Robert Ross, who set out to capture Washington. At Bladensburg, within five miles of the capital of the United States, his troops encountered their first opposition in the form of some 5000 militiamen hastily collected for the defense of the city. Ross's much smaller force completely routed the militia in a battle which soon became known as the "Bladensburg Races." The British entered Washington, President Madison fled from the capital, and in retaliation for the burning of public buildings at York the British applied the torch to the White House and several other government buildings. After an unsuccessful attempt to capture Baltimore, Ross's troops reëmbarked for attacks at other points along the coast.

*Jackson at  
New Orleans*

The third major offensive by the British in 1814 culminated in the Battle of New Orleans. The expedition consisted of nearly 10,000 British veterans commanded by Sir Edward Pakenham, the brother-in-law of Wellington. The United States troops, largely frontiersmen hastily welded into an army under the iron discipline of Andrew Jackson, a typical Tennessee frontiersman who already had displayed his military talents in the Indian wars of the Southwest, seized upon an almost impregnable position and calmly awaited the British attack. Pakenham, probably to show his contempt for the raw American levies, tried on January 8, 1815, to take Jackson's position by assault, but the British, who outnumbered the Americans by at least two to one, were repulsed with tremendous losses. Pakenham was killed, and the loss of the British was twenty-five per cent of their fighting strength, while Jackson's was but one per cent. The victory of New Orleans made Andrew Jackson a popular hero and launched him on the way to the presidency of the United States. It was the one outstanding military success of the United States during three years of fighting. By the irony of circumstances the battle was won fifteen days after the Peace of Ghent had been signed, and thus could exercise no possible influence on the settlement of the war.

*War in  
maritime  
provinces*

The War of 1812 had, comparatively, much less influence on the history of the Atlantic provinces of British North America than on the history of Canada proper. Nova Scotia had developed into an

important center of ship-building during the Napoleonic Wars. Its assembly, in a spirit of enthusiastic loyalty, voted money lavishly for carrying on the war against the United States. Privateering flourished, and many a Nova Scotian ship-owner lined his coffers with prize money won during the war. There were practically no hostile operations between Nova Scotia and New England, and considerable trade passed between these two sections in spite of the fact that they were technically at war. New Brunswick, because of New England's opposition to "Mr. Madison's War," had little reason to fear an invasion. In 1814, when British troops occupied a corner of Maine, the New Brunswick legislature petitioned the British government to seize this opportunity to rectify the boundary by annexing the occupied portion. Prince Edward Island was practically unaffected by the war.

As early as September, 1812, when the Czar of Russia offered to mediate between the United States and England, President Madison had appointed peace commissioners. But England preferred to deal directly with the Americans, and negotiations were actually begun about the middle of 1814. At that time American and British commissioners met at Ghent, in Belgium. Both parties had considerably modified the war aims with which they had commenced hostilities, while hopes of victory were still running high. England now gave up her demand for an Indian buffer territory in the Northwest, and the United States said no more about the cession of Canada as a *sine qua non* of peace. After long and troublesome discussions, in which not only differences between the two peace commissions had to be overcome, but internal friction had to be eliminated among the American delegates as well, a peace was concluded on Christmas Eve, 1814.

*Early peace overtures*

The Treaty of Ghent provided for the mutual restoration of all occupied territory and declared the war at an end. The impressment issue was not mentioned in the document. The question of British rights to the navigation of the Mississippi River, and the rights to the Canadian fisheries enjoyed by Americans under the treaty of 1783, were left for future settlement by special commissions. Finally, the treaty included proposals for joint commissions to settle the disputed portions of the Canada-United States boundary.

*Treaty of Ghent*

The results of three years' fighting were most inglorious both for England and for the United States, and it is the judgment of historians in both countries that the war was a terrible blunder—that it was absolutely unnecessary and should have been avoided. For Canada, however, the war had important consequences. The heroic defense of their country by the Canadian militiamen against a much more powerful invader became one of the glorious pages in Canadian annals, and a memory which is richly prized. The development of the modern spirit of Canadian nationalism in a sense begins with the experiences of the War of 1812.

*Results of war*



For a time, at least, the conflict tended to unite British and French Canadians in defense of their common home, and thus the war became "the blood pledge of the birth of a nation." The Battle of Chateauguay, one of the most brilliant victories of the entire war, was won by French Canadians, under a French-Canadian commander, and the war record of the assembly of Lower Canada was at least as honorable and patriotic as that of Upper Canada. Finally, the war gave the United States one more lesson that British North America was not for sale, and proved that the latter did not care to change her allegiance at the call of a foreigner, even when that invader was the blood brother to the south. The war did much to disabuse the minds of many people in the United States of the belief that it was the destiny of that country some day to annex Canada. The national patriotism which the war developed in the British provinces was conclusive evidence that British North America was determined to go her way alone.

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## CHAPTER IX

### DRIFTING TOWARD REBELLION

IT WAS unfortunate that the British government did not make use of the enthusiastic patriotism engendered by the War of 1812 to promote more cordial relations with her colony and to foster by wise administration the new war-born friendship between the French and English elements in the Canadian population. Unhappily the period from 1815 to 1837 was marked by a series of controversies which led directly to an appeal to arms in the latter year. Some of the difficulties were due to inherent defects in the Constitutional Act of 1791; some were the result of inter-provincial friction, and were simply the repetition of incidents which had occurred before the War of 1812. Others were caused by the blunders of the British government and its officials, or by the extreme demands of some of the more radical Canadian leaders. A brief discussion of the main events in the political history of the two Canadian provinces, Lower and Upper Canada, will suffice to show how the struggle for popular control of the government and of the purse strings became a struggle for full responsible government. It is notable that this agitation for the democratization of the Canadian government coincides roughly with the era of Jacksonian democracy in the United States, the passage of the Reform Bill of 1832 in England, and the abortive revolutions of 1830 in the countries of continental Europe.

*Era of  
struggle for  
self-government*

Sir George Prevost, who in 1811 had succeeded Craig as governor of Lower Canada, tried very hard to alleviate the racial antipathies created by his predecessor, and to conciliate the French majority in the population. The patronage of the province was opened to the French on the same basis as to the English, and special favors were shown to the hierarchy of the Roman Catholic Church. Unfortunately for the realization of Prevost's laudable intentions, the Lower Canada assembly refused to act in an equally conciliatory fashion, but plunged headlong into quarrels over taxation, proposals for education, and the independence of the judiciary. These quarrels, owing to the peculiar framework of government under the Constitutional Act of 1791 inevitably led to controversies between the assembly, the legislative council, and the governor, and these, in turn, were aggravated by the fact that the council and the governor represented the British minority and the British government, while the assembly was controlled by the French party.

*Friction in  
Lower Canada*

The popular party was especially insistent that judges of the King's Bench should not sit as members of the appointed legislative

*Popular party  
and judiciary*

council. The controversy over this issue eventually culminated in the impeachment of Justices Sewell and Monk, both of whom had been hostile to the French Catholic party. They were charged with violating the legislative powers of the assembly, and with general misconduct in office. Underlying these specific charges was the desire to discredit the judiciary generally. The case was carried to the English Privy Council, where Sewell appeared in person to defend his reputation. The prosecutor selected by the assembly to press the charges was not present because the Upper House (legislative council) refused to pass the appropriation for his expenses. Both judges were exonerated, but this question of the relation between the judicial and the legislative organs continued to prove troublesome. Other attempts at impeachment soon followed, but they were destined to fail because these cases had to be tried before the legislative council. As a last resort the assembly tried to control the salaries of the judges, in the hope that this might prove a more effective remedy.

*Sherbrooke's  
conciliatory  
policy*

After a brief interval under Sir George Drummond, Sir John Coape Sherbrooke was appointed governor of Canada. His views coincided with those of Prevost, to the extent that he favored a policy of compromise and the conciliation of the French population. Through his efforts the Roman Catholic bishop, in 1818, became a member of the governor's executive council. Sherbrooke also favored the enlargement of the legislative council, and the sending of an agent to London, there to represent the interests of the province. In 1818 the British government accepted the proposal of the Canadian assembly to rely entirely on the colonial revenues for the ordinary expenditures of the province. This proved to be a real concession, in that it stopped the illegal practice of earlier years by which the provincial revenue was often used for expenditures concerning which the legislative body had not been consulted.

*Papineau*

By careful management Sherbrooke was able to live on fairly peaceable terms with the assembly for a time. Louis Joseph Papineau, who had entered the assembly in 1812 at the age of twenty-six, and who served as its speaker with but one brief interruption from 1815 to 1836, was given a special salary for his services as speaker, and Sherbrooke even suggested that the best means of ending the criticisms made by this young firebrand and his followers in the assembly was to offer him a seat on the executive council. It was unfortunate that failing health caused Sherbrooke to resign in 1818. His successor, the Duke of Richmond, found it difficult to deal with the Canadians by the methods he had learned while serving as viceroy of Ireland, and by 1819 the calm of Sherbrooke's administration was rudely interrupted by a storm over the revenues and expenditures of the province.

*Revenues*

Certain Crown revenues had remained under the control of Great Britain, and were in the nature of a permanent income to the government. These permanent revenues consisted of the proceeds of the

Quebec Act of 1774 (£10,000), the proceeds of the first revenue act passed by the Lower Canadian assembly in 1793, yielding £2,000 annually, and the second revenue act which yielded £5,000 annually to defray the expenses of the administration of justice. In addition, there were the territorial revenues inherited by the British Crown from the King of France, and assigned to the colony in 1794 to meet the expense of civil government. From this source, which included rents from the Jesuit estates and the king's posts, revenue from the forges of St. Maurice and the king's wharf, the timber fund, the *lods et ventes* and the *droit de Quinte*, an annual income of £5,000 was derived. By 1826 these permanent revenues had reached the significant figure of £35,000. In addition, there were old duties levied by British statutes on such articles of commerce as spirits and molasses. All of these constituted the permanent revenues of the Crown in Canada. Theoretically, the only revenue under the control of the assembly were those unappropriated funds which were raised by provincial legislation, such as duties on goods coming into the province, but even in this field the powers of the British and the provincial governments were not carefully delimited.

Expenditures usually exceeded the permanent revenues, and appeals had to be made to the legislature for money to meet the deficits. On each such occasion the French popular party seized the opportunity to claim control of all the expenditures of the provincial administration, a demand which was tantamount to control of the entire government policy. As the controversy progressed, the assembly naturally insisted on the right to control the hereditary and permanent revenues of the Crown along with all other sources of income. The legislative council, the creature of the governor, rejected these proposals as violations of the royal prerogatives; it seems certain that yielding on this point would have made the government entirely dependent on the popular will. In that case, what would become of the powers of the king in the province, and what would be the result so far as the imperial connection was concerned? English statesmen were baffled by the problem and as yet knew no constructive way of escape.

*Attempts to  
control purse  
strings*

The Duke of Richmond soon after his arrival asked for a large increase in the civil list. The assembly promptly called attention to the desirability of reducing the number of pensioners and useless office-holders, and launched into a long discussion of its right to control all sources of income and to appropriate for each specific expenditure. The governor prorogued the assembly, and stormy times seemed just ahead when the governor fell victim to an attack of hydrophobia and died.

*Supply bills  
and redress of  
grievances*

In June, 1820, Lord Dalhousie took up the duties of governor of Canada, after an earlier and successful régime in Nova Scotia. Dalhousie was an efficient and honest administrator. His efforts were directed toward getting the assembly to appropriate a permanent

*Lord Dalhousie*



civil list for the life of the king, so that the government might conduct its affairs without appealing each year to an obstreperous assembly for money with which to pay the salaries of the servants of the Crown. The assembly remained obdurate, and incensed by the receiver-general's defalcations amounting to £96,000 of the public money, which the imperial government refused to make good even though the defaulting official was an imperial officer, it now proceeded carefully to itemize the appropriation bill, and to reduce all salaries by one-fourth. This quarrel over supply bills became the crux of the controversy in Lower Canada. The assembly clung tenaciously to its position, and steadily refused to make permanent provision for government salaries, in order that it might use the government's annual requests for money as a leverage to present other demands.

*Union proposal  
of 1822*

In 1822 the British House of Commons proposed the reunion of the provinces of Lower and Upper Canada, primarily because the English minority in Lower Canada, which now numbered forty thousand, continued to object to living under French laws, courts, and institutions. To many leaders in England, and to some in Canada, it seemed high time to undo the results of the Constitutional Act of 1791 which was perpetuating French nationalism in Lower Canada. Moreover, the assembly of Lower Canada was growing yearly more recalcitrant, and it was becoming increasingly difficult to solve the revenue disputes between Upper and Lower Canada. Official opinion in London strongly supported the union of the two provinces. The proposed union bill of 1822 provided for the amalgamation of the two provincial legislatures, the members to be chosen under a high property franchise which would have disfranchised most of the *habitants*. All written procedure was thenceforth to be in English only, and within fifteen years French was to disappear as a language of legislative debate as well. Revenues were to be under the control of the Crown until a permanent civil list had been provided by the assembly. Roman Catholics were confirmed in the enjoyment of their religion, but the Church was to be brought under the Elizabethan Act of Supremacy providing for the approval of the governor for all appointments of the clergy.

*Opposition to  
bill*

The bill of 1822 was postponed until Canadian opinion could be sounded. It was clearly designed to stifle the French-Canadian nationality in Lower Canada, and it aroused a veritable storm of protest in that quarter. Papineau at once organized mass meetings throughout the province, and petitions opposing the passage of the bill obtained over sixty thousand signatures. Only the British minority and the official class seemed to favor the measure. In Upper Canada also the majority were opposed to the bill, particularly because of its anti-democratic features.

*Canada Trade  
Act*

It is no exaggeration to say that the proposed union bill of 1822 laid the foundation for the rebellion of 1837. While the measure as



a whole was dropped as a result of these vehement protests, its financial clauses were passed as the Canada Trade Act. This act made another attempt to bring about an agreement between the legislatures of Upper and Lower Canada with reference to customs' duties, and to apportion by arbitration the income arising from them.

By 1827 the quarrel over supplies reached an impasse in Lower Canada. The assembly had steadily become more aggressive, and many of its demands now invaded the rights of the governor. Dalhousie believed that the time had arrived for strong measures. Consequently he suggested the appointment of new officials in the local districts of the province, as a means of counteracting among the common people the radical propaganda of some of the extremists in the assembly and in the French party. In 1827 he dissolved the legislature. In the abusive campaign which followed, Papineau was one of the most violent opponents of the government. In fiery speeches he denounced the governor, Lord Dalhousie, as a traitor, a renegade, and a thief. Papineau's followers won a sweeping victory and this firebrand was promptly reëlected as speaker of the assembly.

*Deadlock of  
1827*

Smarting under the unjustified abuse of the campaign, Lord Dalhousie refused to assent to Papineau's election to the speakership, when the latter was presented, according to long-established custom, to the governor for his approval. The assembly denied the right of the governor to withhold his consent, and another deadlock ensued, and again it was necessary to resort to prorogation. In this crisis both sides appealed to England, the petitions of the popular party containing many sound constitutional arguments, as well as much unwarranted personal invective. In 1828 the British Parliament appointed a special committee to investigate Canadian affairs; during the debate many members of the House of Commons pessimistically expressed the belief that Canada would soon cease to be a British possession, and others as seriously contended that the dependency was in any case a losing and entirely useless venture for England.

*Quarrel over  
speakership*

The Parliamentary committee reported that no changes were needed in the constitutional structure of Canada, that a union of the two provinces would be undesirable, and that the chief trouble came from defects in the administration of the government. The committee recommended that the number of public officials appointed to membership in the legislative council be decreased, that all judges, except the chief justice, should be barred entirely, and that the financial troubles of the province be settled by putting all receipts and expenditures under the control of the assembly, in exchange for a permanent civil list which would avoid the necessity of annual grants of salaries. The committee correctly diagnosed some of the grievances of the Canadians, especially those arising from the activities of judges and members of the executive council in the meetings of the legislative council. It was this "chateau clique" of British bureaucrats who virtually nullified all popular measures. Moreover,

*Parliamentary  
investigation*

the report confirmed the French Canadians in the enjoyment of their religion and special privileges. The report was accepted as "an imperishable monument of justice and profound wisdom," but unfortunately it had little practical effect upon affairs in Canada. The debates on the report were extremely pessimistic, and in a long array of speakers only William Huskisson revealed a point of view which augured the first dawn of a sound liberal imperialism.

*Failure of  
conciliatory  
proposals*

Before the committee had finished its work, Lord Dalhousie was transferred to India. He was succeeded by Sir James Kempt, who promptly recognized Papineau as speaker of the Assembly and managed to live for several years in comparative peace with the province. In 1829 a law was passed increasing the number of counties in the province, and redistributing representation so that the English minority in the eastern townships received a voice in the assembly. In 1830 Kempt was succeeded by Lord Aylmer, who earnestly desired to continue the conciliatory policies of his predecessor. The assembly, however, again coupled a statement of grievances with the voting of supplies, and now demanded an independent tribunal to try impeachment cases, and also an elective legislative council. To the mind of the British administrator of colonial affairs in these years this was an impossible demand, for an elective council would remove the last safeguard of the rights of the British minority in Lower Canada, and destroy the most important link binding the province to the mother-country. The assembly also called attention to the deplorable conditions resulting from the lack of municipal institutions, and urged some device by which the executive council, which in 1830 contained only two French Canadians, might be made more accountable to the public will.

*Transfer of  
permanent  
Crown revenues*

In 1831 the British government, with a conciliatory purpose, took the fateful step of transferring all of the permanent revenues of the Crown to the control of the provincial assembly. In exchange for these revenues, which amounted to £38,000, the government asked that a civil list of £14,500 be voted by the assembly for the life of the sovereign. The casual revenues retained by the Crown amounted to only £7800. Although the assembly gladly accepted this addition to its powers, it stubbornly refused to make the requested appropriation. Thus the British government weakened its position without securing any compensation for its concessions. As further evidence of an honest desire to live at peace with the turbulent province, municipal government was granted to Quebec and Montreal, judges were removed from the legislature by special act, and an effort was made to remove grievances that arose from a confusion of laws, especially in matters of real property. The English government's surrender of the revenues, without securing in advance the guarantee of salaries, left the governor's party in a very precarious position.

Events now moved rapidly to a crisis. The French nationalists

boldly presented proposals to make the judiciary dependent on the assembly, and to make the legislative council elective on the basis of a property-holding franchise. Papineau, much influenced by his study of the American and French Revolutions, became more violent, and was carried along by his own passionate eloquence to more extreme positions. A national convention was urged to remake the constitution of the province. Constitutional reformers, such as John Neilson, found it desirable at this stage to withdraw from the agitation because of its increasing violence.

*Drifting toward  
rebellion*

In 1834 the assembly of Lower Canada, under the guidance of Papineau and A. N. Morin, adopted ninety-two resolutions which may be called the French-Canadian Declaration of Rights. Like all documents drafted for purposes of propaganda, some of these resolutions were true statements of fact, others were either partly or wholly false. Beginning with a reference to the loyalty of the French Canadians, the resolutions called attention to the United States as a political model, and bluntly reminded the British Parliament of the American Revolution. Thirty of the resolutions were devoted to an indictment of the legislative council, while others directed attention to various irritating policies of the British government, such as abuses in land tenure, and in the administration of the Crown lands, the British monopoly of patronage, and the failure to provide educational facilities for the people of the province. The resolutions demanded the exclusion of judges from all political affairs, an elective legislative council, complete control of all the revenues by the assembly, and a system of government in which all officers would be subject to the control of the assembly which would have all the rights and privileges of the British House of Commons. Some of the radicals even sought the impeachment of the governor, and a succeeding session of the assembly passed additional resolutions which were even more extreme.

*Ninety-two  
resolutions of  
1834*

Committees of Correspondence were now organized in Quebec and Montreal to perfect a system of coöperation among the radical reformers after the model of the committees of the American patriots of 1775. The loyal British, fearing that the real aim of the French Canadians was independence, began to form Constitutional Associations, and both parties flooded the home government with petitions setting forth the merits of their respective positions.

*Preparing for  
emergency*

At this juncture another Parliamentary committee failed to find a solution for the trouble. Papineau's party, in the meantime, won a sweeping victory in the election of 1834. A British commission of three, sent over after the recall of Lord Aylmer, still found it impossible to suggest a remedy for Lower Canada's troubles. Apparently the imperial authorities were quite willing to make additional concessions, but appropriations for a civil list and the demand for an elective council remained the insurmountable obstacles to peace. The excitement over revenue bills increased, and the list of grievances

*Another  
parliamentary  
investigation*



against the British government grew steadily. There was much complaint that petitions from the province were pigeon-holed by British officials in London, that the British failed to develop municipal institutions, and that even in Montreal and Quebec there still were no good streets, no police protection, and no street lights, and that appointive officials wasted money while the country waited in vain for necessary internal improvements.

*Deadlock in  
1837*

Early in 1836 the assembly refused to vote supplies for more than six months, and by September it refused to vote supplies altogether, unless coupled with a redress of grievances. The report of the royal commission suggested no way out of the deadlock because the commissioners were unwilling to recommend responsible government or an elective Upper House. Their only definite recommendation was the repeal of the act of 1831 under which the Crown revenues had been unconditionally transferred to the control of the provincial legislature. In the summer of 1837 the assembly was in session just two days when it was prorogued. Needless to add, the province suffered greatly in its internal development by this constant strife over constitutional issues. In 1838 there was not one good road in all of Lower Canada.

*Lord Russell's  
resolutions*

In despair over this endless bickering, Lord John Russell of the British Colonial Office determined to abandon the policy of conciliation and to force a solution by vigorous methods. On March 6, 1837, he introduced in the House of Commons a series of resolutions, in which he summarized the state of affairs in Lower Canada, flatly rejected the demand for responsible government, offered to give the assembly control of all remaining Crown revenues in return for a permanent civil list, and authorized the governor to pay out of the public funds in the treasury, and without vote of the assembly, whatever money was needed to pay the running expenses of government to April 10, 1837. It is one of the ironies of history that Lord John Russell, whose name figures so prominently in the rise of liberalism in nineteenth-century England, should have precipitated the Canadian rebellion, and that Gladstone supported his policy throughout.

*Appeal to force*

Lord John Russell's resolutions were soon known in Canada, and they convinced Papineau that the British authorities were guilty of the worst duplicity and could no longer be trusted. Mass meetings were organized at which the leaders made addresses calculated to incite the populace to action. The French members of the assembly appeared in homespun in the session of 1837 and absolutely refused to recede from their position on the revenue. The assembly was prorogued on August 26, 1837, by Lord Gosford. To the radical leaders it seemed that the only remaining appeal was to force, and preparations were hurriedly made for this emergency.

Political difficulties in Upper Canada were in many ways similar



to those in Lower Canada, for in both provinces they were in a large measure inherent in the Constitutional Act of 1791. The legislative assembly of Upper Canada, elected on a rather broad popular basis, found its powers constantly curtailed by the legislative council, an appointive Upper House under the control of the lieutenant-governor and his executive council. The latter was a mixed body of official and non-official members practically all of whom also had seats in the legislative council, and as members of that body held their seats for life. It is obvious that no measure of which the executive disapproved could pass the Upper House. Similar to the "château clique" in Lower Canada was a governing clique in Upper Canada, misnamed the "family compact." As a matter of fact, its members were neither related nor associated by any formal agreement. Nevertheless, this small group, held together by a community of interests based on education, social standing, and wealth, and including many of Loyalist stock, constituted a little oligarchy which controlled enough of the offices and functions of government to thwart effectively the popular will as expressed by the assembly. These Tory reactionaries came to dominate the governor, controlled the patronage and sometimes the courts, occasionally packed the assembly with obsequious office-holders, and in many localities exercised effective economic control over banking facilities and public works. The "family compact" also managed to secure the most attractive land grants at the disposal of the government, and generally manifested a profound distrust for all newcomers, particularly those who might have been inoculated with the virus of democracy in the United States or Ireland.

"Family compact" in Upper Canada

An opposition party, pledged to carry out certain reforms, had appeared in Upper Canada before the War of 1812, but their program was almost forgotten in the great wave of patriotism and loyalty which followed the declaration of war by the United States. Immediately after 1815 this reform movement began to gather momentum again, and its leaders were able to organize various discontented groups into an appreciable opposition party.

Rise of reform party

The unusual prosperity of the war years was followed by a serious economic depression, the militia was not paid promptly, and the government was very slow in allotting the military lands promised to volunteers. Moreover, the existence of vast reserve lands of the Crown and clergy tended to retard the economic recovery and development of the province, for this land policy left great tracts of unoccupied land in settled areas, a serious obstacle to the development of farming communities. Furthermore, there was great dissatisfaction in some quarters because the government had reversed its policy since the war and no longer sought to attract settlers from the United States. By 1817 the political agitation in Upper Canada was in full motion, and as happened in the other province it soon became focused

Effects of War of 1812

on the quarrels between the executive and the assembly over supply bills.

*Case of  
Robert Gourlay*

In 1817, Robert Gourlay, a Scotch university man with a passion for reform, came to British America. He found employment as a land agent, obtained large holdings, and became greatly interested in stimulating emigration from Great Britain to Canada. In order to advertise the province, Gourlay resolved to prepare a statistical account of Upper Canada and in a circular letter issued to various townships he included a question which solicited the opinion of the residents as to what constituted the greatest obstacle in the way of the development of their districts. Other questions dealt with wages, resources, the number of churches and schools, etc. The "family compact," dominated at this time by John Strachan, a staunch and indomitable Church of England clergyman, and John Beverly Robinson, the solicitor-general, chose to regard this questionnaire and a second address to the resident landowners following close upon the first, as a seditious appeal designed to stir up discontent in the province. The real reason for their disapproval was that they did not wish the light of publicity turned on the administration of the Crown and clergy reserves or on the widespread speculation in public lands. Gourlay retaliated with a bitter personal attack on Strachan, the acting governor, and other high members in the official class, and finally summoned a convention to meet at York in 1818 to adopt a declaration of grievances. A libel suit against Gourlay having failed, his persecutors turned to the assembly which they controlled, and a law was passed declaring meetings such as the York convention unlawful assemblies, and making participants in them guilty of misdemeanor. Gourlay immediately attacked the measure, and his pronouncement was declared a libel against the assembly. In order to bring him under the old Alien Act of 1804 he was ordered to leave the province by proceedings notoriously corrupt. On his refusal to depart, Gourlay was arrested. After a trial which was really a persecution, and during which his mind and his health were seriously affected by long imprisonment, he was found guilty and banished from the country. Gourlay was one of the early organizers of discontent in Upper Canada, and his persecution illustrates the extremes to which the governing clique were prepared to go in order to make criticism of their policies a crime against the government.

*Maitland and  
the "family  
compact"*

In the year when these troubles with Gourlay began, Sir Peregrine Maitland assumed the duties of lieutenant-governor of Upper Canada and he held this office for the next ten years. Maitland had been in active army service since the age of fifteen. A pronounced Tory, he was soon working hand in hand with the "family compact" group in an effort to suppress all reform movements in the province. Indeed, Maitland was probably the leading man behind Gourlay's persecution. Although immigrants were rapidly filling in the region along the north shores of Lake Ontario and Lake Erie, particularly because

of the colonizing projects of The Canada Company sponsored by the Scotch writer, John Galt, the government continued to turn a deaf ear to all proposals to reapportion representation in the assembly. Obstreperous members whose sympathies were with the reformers were occasionally expelled from their seats by assemblies which, though popularly elected, were sometimes quite subservient to the group which dominated the council.

The Church of England, to which many of the governing oligarchy belonged, enjoyed the privileges of a state church in Upper Canada, much to the discomfort of the Quakers, Methodists, Baptists, and other dissenters who swarmed into the province as prospective settlers and traders. The Anglicans virtually monopolized education; by means of the clergy reserves they enjoyed a special endowment, and as late as 1824 the legislative council rejected a bill passed by the assembly to allow Methodist pastors to perform legal marriages. This disqualification for dissenting sects was not removed until 1831.

*Clergy reserves.*

A church establishment in the province had the support of British leaders at this time because it was hoped thereby to check the spread of democracy and also to counteract the influence of the Roman Catholic Church in Canada. Even so outspoken an English liberal as Charles James Fox did not object to the principle contained in the clergy reserves section of the act of 1791. By 1825 Upper Canada was suffering from the economic nuisance of having over 2,000,000 acres of land withheld from settlement in the form of clergy reserves. In spite of these and other advantages, such as the monopoly of the solemnization of marriages, the members of the Church of England and Scotland remained in a minority. The Methodist Church, with a type of organization and a kind of theology that appealed strongly to the frontier, soon outstripped all other sects in the number of its adherents. This denomination was the object of particular distrust because of its strong American connections. As late as 1840 Lord Sydenham, in writing to Lord John Russell, declared the clergy reserves "the source of all the troubles in the province; the never-failing watchword of the hustings; the perpetual spring of discord, strife and hatred."

*Source of constant friction.*

In spite of repressive measures, the reform party grew in strength, and by 1828 it had obtained a clear majority in the assembly. The most violent of the reformers was William Lyon Mackenzie, who came to Canada in 1820 at the age of twenty-five. In Scotland he had been a bookseller and chemist; in Canada he became an editor. In 1824 he founded the *Colonial Advocate*, and born agitator that he was, he soon made it the leading propagandist sheet for reform. Incurring the hatred of the governing ring, he was subjected to many petty annoyances; in June, 1826, his printing establishment at York was destroyed by a mob, following bitter personal attacks on some of the influential citizens which Mackenzie had printed in his paper. Mackenzie brought suit for damages and collected £625, which was

*William Lyon Mackenzie*



paid by subscriptions raised among the friends of the "family compact." This amount proved sufficient to enable the bankrupt editor to continue the publication of his paper.

*Reformers and  
their demands*

In 1828 Mackenzie was elected to the assembly of Upper Canada, and he soon acquired notoriety as an agitator. His platform contained many of the demands of the reformers of Lower Canada. He believed that the legislature should have complete control over the provincial revenue, with the exception of the hereditary dues; he demanded an independent judiciary and reform of the legislative council, so that the governor's appointees no longer could block the assembly's proposals; and he argued for religious equality and responsible government. Nevertheless, Mackenzie never assumed leadership in any important issue. He was essentially an agitator, not a constructive thinker, and his chief rôle was to popularize ideas developed by others. The most outstanding leader in the cause of reform undoubtedly was Robert Baldwin, and his name will be associated forever with the evolution of responsible government in Canada. Egerton Ryerson is chiefly remembered in this connection for his fight against the clergy reserves and for the rights of dissenters. The Bidwells, father and son, were important also in the constitutional reform movement; in 1828, when the reformers gained control of the assembly, it was Marshall Spring Bidwell, and not Mackenzie, who received the speakership. Bidwell left Canada in 1837 and his importance has been depreciated on this account. A lesser light who figured prominently during his stormy nine months' stay in Canada was Judge John Walpole Willis. The latter's zeal for reform was undoubtedly whetted by his unsuccessful attempts to secure judicial promotion. Finally, it should be pointed out that most of the rank and file of the reformers belonged to the poorer classes, especially small farmers, and their progressivism was limited rather closely to the field of politics.

*Expulsion from  
assembly*

The assembly of 1828, in which the reformers were in a majority and the younger Bidwell served as speaker, set out to hunt trouble with the lieutenant-governor. It is notable that in this radical assembly there were four native Irishmen, six Scotchmen, seven Englishmen, thirteen Canadians, three born in other parts of the Empire, and fifteen born in the United States. Some of the demands of the assembly were extreme and involved little that was constructive. In the session of 1829 and 1830 no less than fifty-eight bills, some of them important and decidedly worth-while, were passed by the assembly, only to be rejected by the legislative council. In 1830 the reform party suffered a severe defeat in the elections, and the new assembly rallied to the support of the governor, Sir John Colborne, by passing a civil list. Mackenzie called it the "Everlasting Salary Bill" and reopened his assaults upon the government party both in the house and in his newspaper. In the session of 1831 he moved repeatedly for inquiries into various abuses. For libelous



articles appearing in the *Colonial Advocate* and in other places he was eventually expelled from the assembly. Before this controversy had passed through all of its ramifications, he had been expelled, contrary to the desires of the governor and of Lord Goderich of the Colonial Office, and reelected, not less than five times; he had been the victim of a personal assault; and he had carried his case to England, where he bombarded the Colonial Office with grievances, secured a hearing and made some impression upon the government. Of course he emerged from this controversy a popular hero, and in 1834, when York became Toronto, Mackenzie was chosen its first mayor.

In the general election of 1834 the reformers again gained control of the assembly, and Mackenzie now became chairman of a special committee on grievances. Though its report was never formally adopted, it became the platform of the Mackenzie group. The Baldwin group never endorsed the demand for an elective legislative council. The report was a bitter arraignment of government by the "family compact." It denounced the abuses of patronage and extravagant salaries and pensions, and it assailed the administration of the public lands, the difficulty in getting correct title deeds, the lack of roads, and the inefficiency of the government surveyors. Much was made of the clergy and Crown reserves, and the militia and Loyalist tracts which were sandwiched in between the farms of actual settlers so that an extraordinarily heavy burden of taxation fell upon the resident settlers who wanted local improvements. It was pointed out that nine-tenths of the people of Upper Canada belonged to some dissenting Protestant sect, and yet all denominations except the Church of England and Scotland were still excluded from the benefits of the clergy reserves. The Mackenzie reformers asked that the Anglican Church be stripped of its monopoly privileges, and that the clergy reserves be disposed of for the benefit of public education and a system of internal improvements. Among the most important demands contained in this report were those for an elective legislative council and a somewhat vague suggestion of a responsible ministry, to take the place of the executive council, that "nondescript, with which it is folly further to contend." In pursuance of one of these demands the assembly passed bills in 1834 and 1835 to sell the clergy reserves and use the proceeds for public education. Needless to add, these measures were promptly stifled in the Upper House.

At this point in the controversy, in January, 1836, Colborne, who had become more and more conservative during his tenure in Canada, was succeeded by Sir Francis Bond Head. We now know that popular control over all revenues, except the post office, was actually in sight in 1835, due to concessions which the Colonial Office had decided to offer. The new lieutenant-governor proved to be an unfortunate selection, for he lacked all experience in handling such a trying political problem. He had served in the Napoleonic

*Report of  
Select  
Committee on  
Grievances*

*Policy of  
Sir Francis  
Bond Head*

Wars as an engineer, had had business experiences in South America, and in 1836 was on half-pay. His appointment probably seemed wise to the Colonial Office as a compromise between a military officer and a civilian. Head was tactless even in dealing with some of his own appointees to the council. Although he began with a conciliatory and even a liberal point of view, he quickly developed an intense personal antagonism toward most of the reformers. To Robert Baldwin he offered a place on the executive council. It was accepted only with the understanding that Baldwin need not abandon any of his principles. Two other moderates entered the council at the same time. The three reformers were soon at odds with the governor, who refused to consult them on many important matters of state. Finally, the entire council resigned and was replaced by four men of good repute but without much previous experience in politics.

*Crisis*

The assembly promptly expressed its want of confidence in the new executive and argued that responsible government was already part of the existing constitution, a position which it would of course have been difficult to support. At this juncture the assembly for the first time in the history of Upper Canada refused to vote supplies and was promptly dissolved. In retaliation, the governor reserved all money bills passed during the session, thus withholding funds amounting to £162,000 and badly needed for public improvements and for educational purposes. By this time it was evident that Head was attempting to throw the responsibility for this dislocation of affairs directly upon the assembly, and in this strategy he was temporarily successful. Staunchly defending the theory that he owed responsibility neither to the assembly nor to the council, but to the King alone, Head took an active part in the campaign. By charging the reformers with disloyalty to the Empire, by raising the bugbear of republicanism among the Loyalists, and by intimidating some of the voters, the governor easily defeated the reform party. The moderate reformers were in despair, and the radicals began to plot revolution. Head's new assembly, dubbed in derision "the Bread and Butter Assembly" to indicate its subservience to the governor, met in November, 1836, and promptly voted the necessary supplies. Head blindly persisted in his course, despite instructions from the government to adopt more conciliatory methods, and to the last remained confident that all difficulties had been surmounted and that upon the loyalty of the Canadians Great Britain could depend "as upon a rock."

*Drifting toward  
rebellion*

By this time Mackenzie and extremists like him had become violent agitators. On July 4, 1836, the sixtieth anniversary of the American Declaration of Independence, he launched a new paper, the *Constitution*, in which he preached revolutionary doctrines. The news of Lord John Russell's instructions to the governor of Lower Canada to carry on the government of that province independent of the assembly's appropriations was the signal for great mass meetings in

Upper Canada. Plans were worked out for coöperation with the Lower-Canadian reformers, and the radicals began arming and drilling in preparation for an emergency. As has been suggested, many of the reformers like Bidwell and Baldwin refused to participate in these radical measures. Others, like Egerton Ryerson, probably the most distinguished Methodist in Canada, who had led the fight for the removal of religious disabilities, had been alienated by Mackenzie's tactics some years earlier.

To the extremists it was clear that affairs had reached the stage where an appeal to force was the only remedy. It is significant that the rebellion, which broke out in both provinces, was not due to a deliberately tyrannical policy of England, but rather to the misgovernment, the dishonesty, and the stubborn incompetence of ruling oligarchies in Quebec and Toronto. Nevertheless, the "château clique" of Lower Canada and the "family compact" of Upper Canada were the natural results of defects inherent in the Constitutional Act of 1791, and for these the British government bore the burden of responsibility.

*Fundamental  
causes of  
rebellion*

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## CHAPTER X

### THE REBELLION OF 1837

*Radicals of  
Lower Canada*

By the summer of 1837 affairs in both provinces had reached a crisis. Indeed, rebellion had been a possibility for some years before 1837, and in 1836 the government in Lower Canada had begun to prepare for hostilities. The members of the radical party also were arming and drilling, under the leadership of Papineau and Dr. Wolfréd Nelson. In careful emulation of the patriots who had precipitated the American Revolution, "sons of liberty" wore "liberty caps," met under "liberty trees," and appeared in gaudy home-spun as evidence of their boycott of British products. At public meetings there was much talk of putting an end to British coercion and despotism; some shouted for "*La Nation Canadienne*," and a few for "*Papineau et l'indépendance*."

*Radicals of  
Upper Canada*

In Upper Canada similar revolutionary preparations were being made. At mass meetings the leading agitators advised all good patriots to arm and drill, to adopt declarations of grievances modeled on the United States Declaration of Independence, and to appoint local committees of vigilance. At the same time efforts were made by Mackenzie to secure the coöperation of Papineau's followers in Lower Canada, and plans were made to deliver the great stroke for liberty simultaneously in the two provinces, if such drastic action should become necessary.

*Appeal to force*

Fighting broke out first in Lower Canada. On November 16, after some preliminary troubles in Montreal between an organization of English and a group of French "sons of liberty," the authorities became excited and ordered the arrest of Papineau, one of his aids, Dr. E. B. O'Callaghan, an Irish radical, and twenty-five others. This order was the signal for the beginning of hostilities. Papineau, on the advice of a priest, had left Montreal for St. Hyacinth, and the government party concluded that he had gone to assume leadership of the rebel forces. When an attempt was made to arrest the ring-leaders of the rebellion, the rebel sympathizers naturally rallied to their defense; small groups of rebels congregated in the Richelieu valley, particularly at St. Denis and St. Charles, while government troops were sent to drive them back to their homes.

*In Richelieu  
district*

On November 16 the first blood was shed in a conflict between "*patriotes*" and a detachment of British troops on the highway between Chambly and Longueuil. As the troops returned by this same route, with a number of prisoners whom they had been sent to arrest, a mob demanded the surrender of the captives. A scuffle



ensued, the troops were routed, and the prisoners freed. Since it was assumed that the ringleaders of the rebellion were in the Richelieu district, the government had decided to begin hostilities there.

On November 23 a government force attacked and eventually dispersed a rebel force at St. Denis. Papineau fled the scene just before the battle, and with O'Callaghan escaped safely to the United States. Whether Papineau deserted his followers out of sheer cowardice, whether he left on Dr. Wolfred Nelson's advice to save himself for greater service later on, whether he had honestly tried to the last to avoid an appeal to force, and then found himself carried to extreme measures by the men whom his own passionate agitation had stirred to action, or whether he tried to avoid heavy casualties by leaving for the United States—these are still debated questions and will probably remain so.

*Rebellion  
suppressed in  
Lower Canada*

At St. Charles another company of rebels were easily routed; this defeat meant the rapid decline of the rebel cause. The patriot army, always an undisciplined and poorly equipped horde, difficult to control, and often disposed to indulge in plundering and burning expeditions, now disintegrated very rapidly. On December 1 a second attack on St. Denis ended in the burning of the village. There were several other minor engagements, but the only one of any magnitude was the battle at St. Eustache. Here a group of rebels who had assembled in the village church were attacked by a force of two thousand. The church was fired, and the rebels were forced to surrender. In November, 1838, there was a slight recurrence of the revolt along the New York and Vermont frontier, but this was even more easily suppressed by Sir John Colborne than the first outbreak. Hundreds were arrested and faced court martial proceedings, although comparatively few were ever severely punished.

*Rebels defeated  
at St. Charles  
and St. Denis*

The revolt was a miniature rebellion, confined to an area of some thirty square miles in the immediate vicinity of Montreal. The Quebec and Three Rivers district remained quiet throughout the rebellion. It was the work of an aggressive minority, and it was doomed to failure. There had been little organization and no thorough preparation for the appeal to arms; the little rebel bands fell easy victims to the military forces of the government. The masses of the French-Canadian people remained at home, and at best they remained passively neutral. This was true of the majority of those who had favored the reform program of the leaders of French-Canadian nationalism.

*Extent of  
disaffection*

A determining factor in the situation was the Church. While many French priests sympathized with some of the demands of Papineau's party, they did not want republicanism. They had fared well under the British régime, and did not desire a change which for the Church might prove to be a leap into the dark. Some of the bishops definitely aligned themselves with the government, and in pastoral letters read in the churches issued warnings against the

*Causes of  
failure*

deadly sin of rebellion, even threatening the penalties of the Church for those who should participate in this forbidden movement. In this sense it is true, as Professor Kennedy has suggested, "that the Quebec Act saved the situation in 1837-1838," as "it may be said also to have created it."

*Later careers of  
rebel leaders*

It is interesting to glance for a moment at the later careers of some of these leaders. Papineau lived for years in the United States and in France. In the latter country he came into contact with the radical forces which were at work there in the decade of 1840-1850. In the late 'forties, after receiving a pardon from the government, he returned to Canada and served for seven years in the Union Parliament. His leadership had never been of the constructive type, and he found it very difficult to readjust himself to the new conditions prevailing in Canada upon his return. Robert Nelson, one of the leaders in Lower Canada who was particularly prominent in the second revolt of 1838, fled to the United States, and practiced medicine in New York until his death. Dr. E. B. O'Callaghan settled at Albany and became the editor of the documentary history of colonial New York, a most scholarly and valuable series. Augustin Morin and Louis Hippolyte Lafontaine served later in the Canadian cabinet, while Georges Etienne Cartier, who as a youth had shouldered a musket at St. Denis, was perhaps the greatest French Canadian among the builders of the present confederation of Canada.

*Situation in  
Upper Canada*

In Upper Canada, where there was no French national spirit to complicate and aggravate the issues, the rebellion was more a struggle for constitutional changes, although efforts of the reformers were never concentrated on a single issue. It was perhaps inevitable that a frontier province like Upper Canada should revolt against a government based on such undemocratic principles as a small governing aristocracy, large landed estates, and special privileges for a state Church.

*Appeal to Arms*

Late in the fall of 1837 Toronto was virtually stripped of troops in order to provide reinforcements to aid the government of Lower Canada in putting down the revolt in that province. Several thousand stands of arms were left in Toronto practically unguarded, in spite of the fact that Sir Francis Bond Head feared trouble, and had been watching Mackenzie for some time. It is doubtful whether Mackenzie really wanted war. He was a born agitator, whose zeal frequently led him to take positions and make statements which his reason would not have endorsed in his calmer moments. He was the type of man known to become temporarily unbalanced in times of great crisis and excitement, and it is generally believed that in later years he suffered from psychopathic troubles. There can, however, be no question of Mackenzie's honesty or of his unselfish devotion to the cause of reform. Fully convinced by the fall of 1837 that no help would come either from England or from the Tory government controlling Canada, he determined to appeal to the sacred right of rebellion

for the reform of conditions which a constitutional agitation seemed powerless to modify.

Mackenzie was virtually invited by Head to attack Toronto, probably on the theory that this would be the easiest way to deal with the agitator and break his power. Mackenzie planned to take Toronto, seize the governor and the government buildings, and the arms stored in the city, and then demand the immediate creation of a responsible government. If this demand were ignored, he probably planned to create a republican government.

*Rebel plans*

Early in December, 1837, Mackenzie began the attack on Toronto. The rebels, however, had no real plan of action, and instead of the 4000 or 5000 men whom Mackenzie confidently expected to lead against the city, he probably never had more than 800 at his disposal. When the bells of Toronto began to ring, as a signal that the plans of the rebels were known in the city, many of the rebel farmers deserted to their homes. A flag of truce, sent out from the city, further delayed operations and enabled the government party to perfect its plans of defense. A night attack resulted in a precipitous retreat by both sides immediately after the first volley had been fired. Another day was wasted by the rebels in inaction and in conflicts over plans, and finally some eleven hundred Loyalist troops emerged from the city to disperse the rebels. Van Egmond, a brave veteran from the battlefields of Europe, tried to marshal the rebel troops behind the protection of a woods, but as soon as cannon balls began to crash among the trees the rebel forces took to their heels. Van Egmond was captured later and taken to the Toronto jail, where the veteran, his health shattered by exposure and confinement, died before his trial began.

*Attack on  
Toronto*

Mackenzie and some of his companions now sought refuge in the United States. Buffalo, New York, was full of boatmen and sailors who at this time of year had little better to do than idle about the taverns and hunt for excitement; a number of meetings were held, in which Irish-Americans took a prominent part, to express the sympathy of Americans for the cause of the Canadian rebellion. Mackenzie was enthusiastically received in Buffalo, and given promises of support and gifts of arms, ammunition, food, and other supplies, while some of the officials of New York winked for a time at these violations of the American neutrality laws. On December 13, with a force which probably did not exceed two dozen men, Mackenzie crossed to Navy Island, about two miles above Niagara Falls, on the Canadian side, and there he proclaimed the establishment of a provisional government. Later, land was promised to volunteers, a reward was offered for the capture of Sir Francis Bond Head, and a rebel flag, showing twin stars and a new moon breaking through the clouds, was adopted as the official insignia of the new government. The Canadian rebels held Navy Island for several weeks without interference; their force continued to grow, due largely to the arrival

*Flight of  
leaders*



of recruits from the United States. There was considerable cross-firing between the rebels and the Canadian government forces drawn up on shore.

Caroline  
affair

On the night of December 29, 1837, occurred an incident which for a time threatened to disrupt the peaceful relations between Great Britain and the United States. A small American-owned steamer of forty tons, known as the *Caroline*, had been carrying men and supplies from Buffalo to the rebels on Navy Island. At midnight of December 29 a Canadian force under the leadership of the ardent Loyalist, Allan MacNab, crossed to the American side, loosed the *Caroline* from her moorings at Ft. Schlosser, New York, and sent her, a mass of flames, over the falls. One American was killed in the scuffle. At once the American border was aflame with excitement and resentment over this British violation of United States territory and the consequent murder of an American citizen. For five years the United States and Great Britain carried on diplomatic negotiations before the incident and its results were settled to the satisfaction of both parties.

Border incidents

On January 5, 1838, President Van Buren issued a proclamation urging all United States citizens to refrain from giving aid to the Canadian rebels, and warning them that if they were captured in Canada they might expect no help from the United States government. General Winfield Scott was dispatched at once to the border to prevent further outbreaks. Nevertheless, in 1838 the British steamer *Sir Robert Peel* was burned in United States waters, and the American *Telegraph* was fired on by British soldiers near Brockville.

Mackenzie's  
arrest

Mackenzie evacuated Navy Island on January 13, 1838. He was arrested by the United States authorities and finally served eleven months in the jail of Rochester, New York, for violating the United States neutrality laws. Some of his followers tried to continue their activities by planning attacks on Canada from Detroit, and by operations on some of the islands in the Detroit River, but serious trouble was avoided by the intervention of the United States government and the vigilance of the Canadian authorities.

"Hunters"

Throughout the year 1838 strained relations continued along the Canada-United States frontier, largely because of the activities of an organization known as the Hunters' Lodges, which sprang into existence all along the border from Vermont to Michigan. The order grew rapidly at a time which marks the triumph of the democratic spirit in the affairs of the American republic. These "Hunters and Chasers in the Eastern Frontier," or "Lodges of Patriotic Masons," as they were known, were a secret organization, with four degrees; their purpose was "to emancipate the British Colonies from British thralldom." Mackenzie was not a member, but many refugees of the Canadian rebellion belonged to the order. A national convention, meeting at Cleveland in the fall of 1838, planned the conquest of Upper Canada, launched a scheme for a "Republican Bank of Canada," and made preparations for a series of frontier raids.



The most serious invasion of Canada by the "Hunters" occurred at Prescott on November 11, 1838. An expedition in which some two hundred men actually crossed to Canadian territory, seized a windmill on a point of land in the St. Lawrence River and held this position for several days. The "Battle of the Windmill," as the engagement was called, resulted in heavy casualties. The defeated filibusterers were under the command of a Polish refugee, von Schultz, who, with eleven others, was eventually convicted and hanged. It is interesting to note that the lawyer who undertook the defense of von Schultz was the young John A. Macdonald, destined within a short time to become one of Canada's greatest statesmen. On December 4, 1838, four hundred "Hunters" marched through the streets of Detroit, shouting "Remember the Caroline!" and intent upon the capture of Windsor, Canada. The expedition was easily repulsed by a Canadian force. The activity of the Hunters' Lodges continued into the 1840's. In 1838 President Van Buren ordered the organization to disband; the president's real desire for peace helped greatly in preventing a rupture in Anglo-American relations as a result of these border disturbances.

*Invasion of  
Canada by  
"Hunters"*

Mackenzie, after a rather extended residence in the United States, where he was soon disillusioned by the excesses and defects of democracy as exemplified in some of the American states, returned to Canada in 1849. Like Papineau, he was elected to the Parliament of United Canada, but he never regained his earlier influence in Canadian affairs. He died in Toronto in 1861, a poor and disappointed man.

*Mackenzie's  
later career*

The rebellion of 1837 was an abortive, wild, and misguided movement, the work of a small minority led by fiery, and honest zealots. It was hardly more than "a good-sized election row." Many of its causes were inherent in the Constitutional Act of 1791, and in the prevailing policy of nations toward their colonies. In spite of its abortive character, the rebellion probably had greater importance for the future of Canada than a more prolonged conflict with British authority might have had. It directed the attention of Great Britain to certain problems and lessons which might have been learned from the disruption of the Empire in 1776. The rebellion stimulated interest in certain reforms which were absolutely imperative, but which an appeal to reason and peaceful tactics had not been able to arouse.

*Nature of  
rebellion*

The rebellion was evidence that Canada was gradually developing into political maturity, and in the words of Professor McArthur it "marks the beginning of a movement to make colonial independence the basis of imperial unity." There was much truth in what Dr. Nelson, one of the rebels, wrote in the summer of 1838: "We rebelled neither against Her Majesty's person nor her government, but against Colonial misgovernment."

In the maritime provinces the rebellion had little effect save to reveal the fundamental loyalty of the people to the British connection. Pledges of aid in putting down the rebellion came from various groups in New Brunswick and Nova Scotia.

*Conditions in  
maritime  
provinces*

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## CHAPTER XI

### LORD DURHAM AND THE AFFAIRS OF BRITISH NORTH AMERICA

THE immediate result of the rebellion of 1837 was the suspension of the constitution of Lower Canada by an imperial act under which that province automatically lapsed into the stage of government which had existed before the Constitutional Act of 1791, namely, government by a governor and council appointed by the Crown. Under this arrangement the initiation of legislation fell to the governor, and for the time being all representative government came to an end.

*Suspension of  
constitution*

For the extremely difficult post of governor in this crisis in her imperial relations, Great Britain selected John George Lambton, first Earl of Durham. Lord Durham was appointed governor-in-chief of all five British-American provinces, with full powers as England's special high commissioner to deal with the critical situation existing in these dependencies. Among his many duties was the task of restoring peace and loyalty among the disaffected people in Upper and Lower Canada, the prevention of a rupture of the peaceful relations between Great Britain and the United States due to continued trouble on the border of Canada, the proper punishment of the leaders of the rebellion, and the suggestion of constructive measures which would make the recurrence of these unhappy events impossible.

*Lord Durham's  
mission*

Durham belonged to what may be called the radical-liberal group in British politics, and he brought to his difficult task a spirit of devotion to the principles of self-government and a firm faith in the future of the British Empire. Durham was not afraid to act boldly and to assume full responsibility for his actions, and he believed strongly that an enlightened imperialism, resting on responsible governments in the dependencies, would prove the salvation of the Empire.

*Durham's  
political views*

Lord Durham was the son-in-law of Earl Grey, famous for the Reform Bill of 1832, the first step toward the democratization of England's ancient parliamentary institutions. When Durham came to Canada, he was still a comparatively young man, a polished orator, richly endowed with the gifts of a successful student of political affairs, and inclined to emphasize the importance of governmental pomp and ceremony. Perhaps his greatest weakness was a fiery and uncontrollable temper, combined with an extremely sensitive nature, which made it difficult for him to work with other men.

*Qualifications  
for leadership*

Immediately upon his arrival in Quebec, where he received a

*Durham's  
plans*

cordial welcome, Lord Durham dismissed the old executive council of Lower Canada, appointed under the suspended constitution, and rudely but wisely turned his back upon the old "château clique" which had dominated the government of the province for many years. This initial step was calculated to conciliate the popular party, and in this Durham was reasonably successful. In his official party were Charles Buller, who served as his secretary, and who had been a pupil of the great Carlyle, and Gibbon Wakefield, a careful and able student of colonial affairs. Commissions were at once appointed to investigate such causes of discontent as the administration of the Crown lands, the status of education, and municipal government in the provinces. Deputations were called to Quebec to discuss the union of all the provinces. Durham personally favored the dismembering of the French province of Lower Canada, and the establishment of a federal union to embrace all of British North America, but he abandoned this suggestion when he discovered that the opposition to confederation was too strong to overcome.

*Relations with  
United States*

A mission was dispatched to Washington, in order to provide for the more effective guarding of the frontier, and to avoid violence along the border which might provoke a crisis in Anglo-American relations and thus make the rest of Durham's work impossible. Traveling in vice-regal splendor through the two provinces of Canada, Lord Durham paused at Niagara to participate in a banquet at which he toasted the president of the United States. For this incident the governor was severely criticized in some quarters, but Charles Buller, his secretary, ardently defended the act of his chief, insisting that "a million of money would have been a cheap price for the single glass of wine which Lord Durham drank to the health of the American President."

*Political  
prisoners*

The immediate and pressing problem demanding solution by the high commissioner was the disposal of the political prisoners with whom the jails were crowded at the time of his arrival. Durham did not approve of a vindictive policy toward the rebels of 1837, and he believed that many of the prisoners were simply misguided and discontented folk from the countryside who had been deluded into believing that an appeal to arms would solve their grievances. He was fully conscious, moreover, of the difficulties involved in bringing these rebels to trial. To select a jury fairly from among the French Canadians would probably result in acquittal, whereas to pack the jury with Englishmen, or to tamper with the existing jury laws, was both unwise and contrary to Durham's high sense of honor. In the dilemma in which he found himself he resolved to get a confession of guilt from the accused and to induce them to throw themselves upon his mercy. Lord Durham then issued an ordinance banishing Papineau, Wolfred Nelson, and fourteen other ringleaders who had escaped to the United States, with the understanding that the death penalty would be imposed if they returned to Canada. Eight others



who pleaded guilty he banished to Bermuda, and to all the rest he granted complete amnesty.

This merciful course, which has won the full approval of posterity, and now constitutes one of Lord Durham's claims to greatness, also became the cause of his recall. His clemency undoubtedly conciliated many of the British and French Canadians, while the prisoners considered their banishment an act of mercy by which they escaped the gallows. Moreover, a more vindictive policy probably would have stirred the anglophobian fever which was then raging in the United States.

*Wisdom of  
Durham's  
course*

As a matter of fact, Lord Durham technically exceeded his authority. He did not have the power to banish men to another British colony without a jury trial, even under the special authority exercised by a high commissioner and his council. The English Parliament, instead of legalizing his extraordinary but justifiable procedure by a special act of legislation, began to attack his conduct, largely to make political capital against the party in power. The Government, fearful of losing its slender majority, preferred to allow Lord Durham to become the scapegoat of practical party politics, and disallowed the ordinance. Durham was deeply wounded by this action, which he believed was an evidence of rank duplicity, and his feelings were not improved when he read about the incident for the first time in an American newspaper. Without awaiting the receipt of more formal notification, he at once resigned and left for England on November 1, 1838. On the face of things, it appeared that his mission had ended in failure, for he had not won the support of French Canada, and his conduct of affairs in British North America had been repudiated by the Government to which he was responsible.

*His recall*

In February, 1839, after a sojourn of only five months in Canada, Lord Durham submitted to the Queen his epoch-making *Report on the Affairs of British North America*. Little more than a year later, while still under fifty, he died. "Canada has been the death of him," said John Stuart Mill. His last words were, "I would fain hope I have not lived altogether in vain. Whatever the Tories may say, the Canadians will one day do justice to my memory." In that hope he was not to be disappointed, for not only Canadians, but liberals the world over, honor his memory.

*Durham's place  
in Canadian  
history*

Lord Durham's Report is equally remarkable for its penetrating analysis of British North American affairs, his faith in the future of British North America, and his constructive suggestions for the development of an empire in which colonial autonomy should be the foundation stone. Like all great documents, written during the heat of controversy, the report was neither new nor correct in its entirety. The sections dealing with Upper Canada were probably the weakest, as those dealing with Lower Canada were undoubtedly the most brilliant. The analysis of social and economic factors, though

*His famous  
report*

sometimes exaggerated, proved beneficial for the future development of the provinces.

*Analysis of  
causes of  
discontent*

Lord Durham's report was a sweeping condemnation of the whole system of government, as he found it functioning in the hands of little governing cliques at Quebec and Toronto, and in this respect it was to a large extent a vindication of the claims of the reformers. Much that the radicals had said about oligarchical government, the meddlesome interference of the British Colonial Office or its failure to act at all, the prevalence of frauds in the management of the public lands, the woeful state of education, and the lack of local government, Lord Durham found to be based on fact. After a careful analysis of conditions as he found them, he submitted constructive proposals to remedy the situation which he had painted so darkly in his report.

*Responsible  
government*

In the first place, he urged the granting of complete responsible self-government, in all matters of colonial concern. Thus far he simply acceded to the demands which had been made by some of the reformers themselves. Obviously, however, the problem demanding solution by an enlightened imperialist like Durham was how to reconcile a system of government based on complete recognition of colonial autonomy with the preservation of imperial rights. How could a dependency enjoy responsible government, and yet remain a loyal member of the Empire?

*Division of  
governmental  
functions*

Durham's solution was a proposal to divide the functions of government, and to reserve for the imperial government only those powers which he believed absolutely essential to the maintenance of imperial unity. The fields of governmental action included in this category of reserved powers were the control of foreign relations, the regulation of commerce, the determination of the constitution of government for the colony, and the disposal of the public lands. All other powers and functions were to be transferred to the control of the colony. Under this arrangement, therefore, there would be a division of governmental duties by which responsibility for the exercise of most of them would be lodged in the people of the colony acting through their elected representatives. Responsibility for the four reserved powers remained with the British Crown. Durham believed that any other arrangement would jeopardize the future of the Empire. Yet today, almost all of these functions which Lord Durham thought indispensable to the maintenance of the imperial tie have passed under the complete control of the governments in the Great Dominions, and the British Empire still lives.

*Other proposals*

Lord Durham recommended that all Crown revenues, other than those derived from the disposal of the public lands, should be left to the colonial government, in exchange for a permanent civil list. All revenue bills should originate in the assembly, and should be sponsored by the cabinet. Durham did not advise an elective Upper House, for he believed the legislative council would have to be retained as a wholesome check upon the assembly. It is clear that

by responsible government Lord Durham meant a cabinet responsible to the majority of the elective Lower House, as was the case in England. In no other way could collisions between the executive and the legislative branches of the government be avoided. Just what position the governor-general would occupy under the new arrangement was not made entirely clear.

The second important recommendation in the Report urged the union of Upper and Lower Canada under one government. By this method Lord Durham hoped gradually to extinguish the spirit of French nationalism, by absorbing and amalgamating the French group in the ever-growing English population. He believed the English in Upper Canada, plus the English minority in Lower Canada, would from the outset be strong enough to control the new union government, and that with the immigration of settlers of English stock Canada would daily become more British. Durham urged the gradual substitution of the English language for French. It is clear that he contemplated a complete union of the two peoples, not simply a coalescing of their two assemblies, and that he had no desire to perpetuate "two nations warring in the bosom of a single state" as he had found on his arrival in Lower Canada. As a matter of fact, Durham advocated representation by population in the Union Parliament, not the equal representation of the two provinces finally written into the law of 1840. It is impossible to say whether such an Anglo-French fusion would have been successful under any conditions, but there can be no question that Durham never fully appreciated the force of French-Canadian nationality and the tremendous vitality of the French-Canadian people. Union

Other items in this epoch-making Report were overshadowed by the fundamental importance of the two major suggestions outlined above. Lord Durham made penetrating observations and gave valuable advice about economy and efficiency in government, and he urged the immediate development of municipal institutions. These he believed were necessary to serve as a buffer between the people and the legislature, to promote the efficient and speedy formation of local communities and to serve as a training school in which citizens could acquire experience for larger political tasks. He also urged a comprehensive program of canal and railroad building to promote the growth of a Canadian national spirit. Minor recommendations

Lord Durham's Report, which ushers in a new era in the history of British imperialism, was not accepted at the time with the acclaim which it has since been universally accorded. Many high-minded and broad-minded Englishmen were extremely dubious about many of his proposals, and were especially concerned with the problem of what would become of the governor-general under such a scheme of colonial self-government. Others continued to believe that it was the destiny of the Empire to dissolve soon into its component elements, and that British reaction



it was therefore unwise to delay the process of peaceful disintegration by such troublesome makeshifts.

*Canada's  
reaction*

In British North America the Report was bitterly assailed by the "family compact" in Upper Canada, some of whom honestly questioned its value, while others struggled to hold on to their dominant position under the old régime. In Lower Canada the French-Canadian nationalists vigorously opposed a plan designed to swallow them in a wholly British state. In Upper Canada the governing oligarchy wanted union but not responsible government, whereas in Lower Canada the people wanted responsible government but not union.

*Preparing for  
union*

In the summer of 1839 Lord John Russell, whose resolutions had hastened the rebellion of 1837, introduced a union bill, modeled on Durham's Report, for discussion in the British Parliament. Obviously, before much could be accomplished by imperial legislation, it was necessary to prepare the way for the acceptance of a union measure in Canada. For this task, which required tact and ability of an unusual order, the Colonial Office selected Poulett Thomson, better known as Baron Sydenham, the title to which he was raised in 1840. Sydenham had been a candle manufacturer and came from a prominent family of businessmen. He traveled widely and became a master of the social graces. He was a disciple of the economists Mill and Ricardo, and a friend of such distinguished British liberals as Jeremy Bentham and Joseph Hume. At the time of his appointment as governor of Canada he represented Manchester in the British House of Commons, where he had already gained a reputation as a skilful parliamentarian.

*Sydenham*

Sydenham arrived in Quebec on October 19, 1839. On November 22 he was in Toronto. His delicate task of winning support for the proposed union act had to be performed largely behind the scenes. By many conferences and much persuasion and cajolery, he managed to conciliate some of his opponents. In this campaign of education in Upper Canada he had the support of such moderate reformers as Robert Baldwin and Francis Hincks. Sydenham suggested a solution for the troublesome question of the clergy reserves in Upper Canada by proposing that the remainder of these lands be sold, and the income from this fund be distributed among all the churches. Such a proposal at least had the merit of giving some recognition to the rights of dissenting sects. He urged the establishment of municipal institutions and secured the removal of another grievance by a provision for the accurate registering of deeds and land titles. Kingstons was proposed as the new capital of the united provinces.

*Upper Canada  
accepts union*

Although the people of the province were divided into many factions, the assembly of Upper Canada finally agreed to union on condition that this province should have equal representation with Lower Canada in the Union Parliament, that a permanent civil list be established large enough to insure an independent judiciary, and that



the provincial debt incurred for "public works of common interest" should be assumed as a charge on the combined revenues of the union government. It was this last concession which the governor used most effectively as a lever to overcome the opposition to union of the "family compact" group. Moreover, Sydenham published in the *Upper Canada Gazette* the dispatch from the home government relating to the tenure of public offices. In this it was made clear that no one would be continued in public office unless he made himself of service to the governor and to the province. The governor's strategy worked like magic in silencing further opposition from the "family compact."

In Lower Canada Sydenham established a new judicial organization. Because the assembly was still under suspension, the governor summoned the special council, in existence since the days of virtual dictatorship immediately following the rebellion. This council, composed largely of English, ratified the proposal of union by a vote of twelve to three. Thus in Lower Canada approval of union was given by a body which in no sense represented the people of the province. The council agreed to the assumption of the public debt of Upper Canada by the new union government and promised a permanent civil list. The French Canadians, however, remained extremely skeptical in their attitude toward the new arrangement, and it is doubtful whether even the British minority in the province were entirely satisfied.

*Problem in  
Lower Canada*

With the way thus prepared for union, and with many of its terms virtually agreed upon, a union bill was enacted by the British Parliament. The Union Act became a law on July 23, 1840, to go into operation by proclamation on February 10 of the following year. The law provided for the union of Lower and Upper Canada under a single government to consist of a governor, a legislative council, and an assembly. The governor and the legislative council of not less than twenty members were appointed by the Crown, the members of the council to hold office for life. The Lower House, or House of Assembly, consisting of eighty-four members, was to be chosen by popular suffrage, forty-two members from each of the old provinces. This equal division temporarily gave the advantage to Upper Canada which at that time had a smaller population than the sister province.

*Union Act*

The act further provided that all government papers, reports, and records should be kept in the English language, although either French or English might be used as the vehicle of debate, and the translation of documents and papers into French was allowed. England reserved the right to levy duties for the purpose of regulating imperial commerce, while bills dealing with the Crown lands and with religion were to be reserved by the governor for the action of the home government. All the Canadian revenues were now consolidated, and the Crown formally surrendered all claims to hereditary and territorial revenues in return for a permanent civil list of £75,000. All bills for the expenditure of money and taxation were to originate

*Its provisions*

with the governor, and were then to be submitted to the House of Assembly for discussion. The debts of the two old provinces were assumed by the union, and the old laws were to continue in force in each province until repealed or amended. The status of such controversial questions as the rights and privileges of the Anglican and the Roman Catholic Churches, religious toleration, and waste lands was carefully defined.

*Criticisms  
of Act*

The Union Act left some of the demands of 1837 unfulfilled. The legislative council remained an appointive body until 1856. There was no specific provision in the Act to exclude civil and judicial officers from the legislature, and this reform was not achieved until 1853. The French Canadians objected to the over-representation of Upper Canada in the Union Parliament, and to the saddling of the heavy public debt of Upper Canada upon the consolidated revenue. Nevertheless the act did end the continual friction between Upper and Lower Canada over the division of the proceeds from import duties, this having been one of the insoluble inter-provincial problems before 1837.

*Its significance*

The union of the two provinces helped to destroy the narrow provincialism and exclusiveness of the French population, at least to the extent that it compelled both the English and the French in Canada to broaden their political horizons and to think of government in larger terms. This duty of participating in the government and the fortunes of a larger area did much to promote the political education of both elements. The most important omission from the Union Act was the fact that the law did not deal with the executive principle at all, and that no reference whatsoever was made to responsible government, the crux of the trouble in 1837. So far as the executive principle was concerned, the law showed no advance over the constitutional legislation of 1791.

*Germ of  
responsible  
government*

The germ from which responsible government developed is to be found in Lord John Russell's dispatches of September 7 and October 14, 1839, to Sydenham. The latter's instructions contained the significant sentence, "The importance of maintaining the utmost possible harmony between the policy of the legislature and of the executive government admits of no question, and it will of course be your anxious endeavor to call to your councils and to employ in the public service those persons, who, by their position and character, have obtained the general confidence and esteem of the inhabitants of the province." Furthermore, Lord John Russell urged the new governor to make it known in the province that good behavior would no longer be a guarantee of life tenure in public office. "Not only will such officers be called to retire from the public service as often as any sufficient motives of public policy may suggest the expediency of that measure, but . . . a change in the person of the governor will be considered as a sufficient reason for any alterations which his successor may deem it expedient to make in the list of public functionaries. . ."

It is evident from these extracts that Lord John Russell was not yet ready to endorse responsible government as an abstract principle or to accept it as a convention of the constitution, but that he relied on common sense and a policy of moderation to provide the necessary harmony between the legislative and the executive branches of the government. Nevertheless, it is to these phrases that the germs of the concession of responsible government are to be traced, and to nothing whatsoever in the Act of 1840. A long struggle was still necessary before responsible government became fixed as one of the fundamental customs of the Canadian constitution. England had to learn the implications of the responsible principle as applied to colonial affairs, while Canada had to be taught how to use the new machinery of government at her disposal. Most of the 1840's were spent in the struggle to reconcile the imperial interest as represented by the governor, and the local Canadian point of view as manifested in the Canadian Parliament.

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## CHAPTER XII

### THE REALIZATION OF RESPONSIBLE GOVERNMENT

*First Union  
Parliament*

THE first Union Parliament met at Kingston, in the refitted General Hospital, on June 14, 1841. The elections had been attended by much excitement and disorder, but through a judicious interference in the campaign, and a ruthless gerrymandering of the Quebec and Montreal districts in the interests of the British element, Sydenham had tried to secure a majority with which he could work in harmony. The membership of the first assembly was, however, so divided that anything like a two-party system was impossible.

*Its leaders*

In the Lower House were such prominent leaders as John Neilson, the Scotch-Canadian editor of the *Quebec Gazette*, who had opposed union, Robert Christie, a Nova Scotian who represented Lower Canada and is perhaps better known as the author of a history of that province, and Augustus Norbert Morin and Denis Viger, both active in the troubles of 1837, the latter having been a government prisoner during that disturbance. Etienne Pascal Taché and John Sandfield Macdonald also began their parliamentary careers with this session. Allan MacNab was present as the leader of the extreme Loyalist, conservative group, while Francis Hincks, a prominent banker and publisher of Toronto, was already known as one of the outstanding Liberals of Upper Canada. William H. Merritt, one of the promoters of the Welland Canal, and Isaac Buchanan, a leader in the coming struggle to secularize the clergy reserves, were other distinguished members of this interesting and able first assembly. More important than any other member was Robert Baldwin, easily the ablest constructive thinker of the lot, and it was he who immediately opened the battle for responsible government.

*Sydenham as  
governor*

Baron Sydenham formally opened the provincial parliament on the second day, with all the ceremonial and precedents which could be borrowed from the procedure of Great Britain. The governor came and went to the accompaniment of salvos of artillery, and made the customary speech from the throne. Sydenham's ideal was undoubtedly to form a non-partisan ministry. Although he selected members from either house to serve in his council, and put each at the head of a department of the government, all his selections were drawn from the English element in Parliament, and the majority of his ministry were Conservatives. Perhaps the most distinguished member of Sydenham's first ministry was William Henry Draper, a Conservative destined to make a long and honorable record on the



bench. Robert Baldwin, the ablest friend of responsible government in Canada, at first accepted the office of solicitor-general for Upper Canada, only to resign when he learned that no French Canadians were represented in the Government. While Sydenham generally respected majority opinion in the assembly, it was soon made clear that he fully intended to be his own prime minister and that he held the reins of government firmly in his own hands.

Sydenham was a tireless worker who looked after most of the details of government himself. The decisions of the Government were his decisions, and he consulted his council or not, just as he pleased. Such advice as he sought he usually obtained from individual members, rarely from the council as a body. During his régime in Canada great progress was made in laying the foundations for the sound economic progress of the country. Laws were enacted for public works and for such internal improvements as the completion of the Welland Canal (opened in 1829), to avoid the rapids of the Niagara between Lake Erie and Lake Ontario, the erection of light-houses, and the general improvement of St. Lawrence River navigation, and the construction of highways and bridges. The British government guaranteed a loan of £1,500,000 for this program of public works, and a board of works was created for its more efficient promotion. Municipal government was improved, a better system was devised for the disposal of the public lands, regulations were made for the settlement of immigrants, and reforms were enacted in the criminal law of the province. An act was passed appropriating \$200,000 annually for the establishment of a common school system, under a chief superintendent of education for United Canada, with assistants in each of the two provinces. Sydenham also planned to establish a note-issuing national bank, but here he was thwarted by the private banks which opposed such a monopoly.

*Economic  
progress*

The governor-general frequently adopted the methods of a "vice-regal pedagogue," in pushing through his program. During his governorship, although a remarkable record for constructive legislation was made, it was not the work of a responsible government, and Sydenham at the time of his death faced a growing opposition in parliament. He steadily opposed all suggestions to diminish the powers of his office, and he honestly believed that the granting of responsible government, in the sense in which the term was used by the reformers, would result in the disintegration of the Empire. The only way Sydenham knew to reconcile his responsibility to both the colony and to the Empire was to guide local affairs as much as he could himself, so that clashes might be avoided. By "responsible government," the reformers of course meant parliamentary government, that is, the English type of executive responsibility through a cabinet responsible to the elected legislature.

*Sydenham's  
theory of  
governorship*

In spite of Sydenham's policies, considerable progress was made during his governorship toward the recognition of the principle of

*Sydenham-  
Harrison  
Resolutions*

responsible government. It was Baldwin who precipitated a discussion of what the governor viewed as "theoretical points of government," by calling for copies of Lord John Russell's dispatches of 1839, and by moving a series of six resolutions the essence of which was the recognition of cabinet responsibility in colonial government. Sydenham at once drew up four amendments to Baldwin's proposals. They were introduced in the assembly by Samuel Bealey Harrison and were adopted. In conjunction with the contents of Russell's dispatch of October 14, 1839, already referred to, the adoption of the Sydenham-Harrison Resolutions made responsible government inevitable. These resolutions represented the greatest concession Sydenham felt he could make. They recognized the right of the people "of having a provincial parliament for the protection of their liberties, for the exercise of a constitutional influence over the executive departments of their government, and for legislation upon all matters of internal government." Although specifically attributing the responsibility of the governor to the imperial authorities alone, the resolutions recognized that "the management of our local affairs can only be conducted by him, by and with the assistance, counsel and information of subordinate officers in the province," and that "in order to preserve between the different branches of the provincial parliament that harmony which is essential to the peace, welfare, and good government of the province, the chief advisors of the representative of the sovereign, constituting a provincial administration under him, ought to be men possessed of the confidence of the representatives of the people, thus affording a guarantee that the well-understood wishes and interests of the people, which our gracious sovereign has declared shall be the rule of the provincial government, will, on all occasions, be faithfully represented and advocated." A few weeks after this event, on September 19, 1841, Sydenham died. His death was due to nervous exhaustion aggravated by an infected leg resulting from a fall from his horse. He was buried under the floor of St. George's Church in Kingston.

*Sir Charles  
Bagot*

Sir Charles Bagot was named as Sydenham's successor. Although a life-long Tory, he was never a bitter partisan, and he was willing to administer the constitution of Canada impartially. Bagot had had much experience in the field of diplomacy. Indeed, his appointment was strongly influenced by the idea that he would be acceptable to the United States, where he had gained no little distinction in the Rush-Bagot negotiations for disarmament on the Great Lakes. The new governor assumed his duties after a leisurely journey to Canada *via* Boston and Albany, and after enthusiastic receptions and levees in Toronto, Montreal, and Quebec.

*His policy*

Bagot soon discovered that in the interests of an efficient and harmonious administration he would have to recognize the French party in the formation of his council. The French group were now under the able leadership of Louis Lafontaine, a former follower of

Papineau, but a constructive and conservative statesman who had accepted the union as an accomplished fact and concluded that further opposition was useless. By a combination of the French followers of Lafontaine and the moderate reformers of Upper Canada led by Robert Baldwin, a coalition was formed in the assembly so powerful that the governor found it necessary to accept a reconstructed ministry under the joint leadership of Lafontaine and Baldwin.

This was a virtual concession of the principle that only a responsible government could get things done in United Canada. The Tory party bitterly resented the presence of "rebels" like Lafontaine in the ministry, and made vigorous assaults upon the governor for accepting such a situation. The newspapers of the old "family compact" accused Bagot of handing "the British over to the vindictive disposition of the French mob," and denounced the governor as a "radical," an "old woman" and an "apostate" for instituting a "radical ministry." But Bagot remained undisturbed by the clamor against his administration, and in due time the British Secretary of State gave his assent to his plan of procedure.

*Criticism of  
Bagot's policy*

Bagot's course did much to reconcile the French Canadians to the new governmental order. Unfortunately, the peaceful evolution toward greater democracy was interrupted by Bagot's serious illness. The governor, suffering severely from dropsy and heart trouble, soon found it necessary to give up the burdens of his office. He met his last cabinet council while confined to his bed, and died in Canada less than two months after he had turned over the government to his successor. The admission of the French Canadians to the ministry during his régime, and the increasing functions exercised by the ministry during his illness, marked great steps forward in the struggle for recognition of the principles of responsible government.

*Bagot's  
retirement*

Sir Charles Theophilus Metcalfe, Bagot's successor, began his turbulent and unhappy career in Canada in 1843. He brought with him years of successful experience in the civil service of India and as governor of Jamaica. Macaulay called him "the ablest civil servant I ever knew in India." The problem of governing Canada proved quite different from that of managing the natives of India and Jamaica, and Metcalfe assumed his new duties without any experience with parliamentary institutions in the dependencies.

*Metcalfe*

There is no evidence to show that Metcalfe was appointed deliberately by the British government in order to undo Bagot's work or to give responsible government in Canada a setback. Metcalfe was honestly opposed to party government in the dependencies, because he was fearful that one party would sooner or later favor independence. He could not reconcile the position of the governor-general with the implications of responsible government, nor could he understand how a governor could represent faithfully the interests of the mother-country if he allowed himself to become the spokesman of a colonial faction, even if that faction were dignified by the name of a

*Metcalfe's  
policy*



political party. In other words, if the ministry assumed full responsibility for all acts of the Government, what was to become of the governor-general's responsibility to the imperial authorities and to his sovereign? This was the dilemma which Metcalfe found in the Canadian situation as it had developed under his predecessor, and he set to work to undo the evil developments of party government as he saw them. The ministry, of course, was equally determined to consolidate their newly-won powers.

*Governor and  
his ministry*

It was not long before Metcalfe stoutly refused to be the ministry's tool. It must be admitted that the ministry frequently treated the governor with scant courtesy, and Metcalfe retaliated by slighting his advisors and frequently seeking the counsel of the opposition leaders. A number of controversies arose over the governor's right to make appointments to public office, without first consulting and securing the approval of the ministry. In November, 1843, matters reached a crisis. Lafontaine and Baldwin virtually demanded that office-holding should become a matter of patronage for the party in power, and be under the sole control of the ministry. This demand the governor considered a violation of the royal prerogative. The conference with the governor on this issue only served to reveal the utter incompatibility of the two points of view, and so the Lafontaine-Baldwin ministry resigned.

*Deadlock*

The constitutional issues involved in this governmental crisis were aired at great length in the assembly, where the reformers had a majority of nearly three to one. Parliament was prorogued, and for nine months Metcalfe struggled to form a new ministry, while the uproar in the country steadily increased. A shower of pamphlets appeared, in which the reformers were denounced as traitors plotting annexation to the United States, and the governor on the other hand, was called such disrespectful names as "Charles the Simple." Finally, Metcalfe was able to fill six of the cabinet offices. In September, 1844, Parliament was dissolved, and both parties appealed to the electorate to sustain them in their respective positions.

*Elections of  
1844*

The elections of 1844 were marked with rioting, bloodshed, and the use of the militia in some places. Bribery and corruption probably were resorted to by both sides. Largely by raising the loyalty issue, the governor obtained a small majority of six in support of his new ministry. Most of its supporters came from Upper Canada where the charge of republicanism leveled against the reformers did good work among the Loyalist stock. Parliament met in November, and Allan MacNab, a Tory leader who knew no French, was elected speaker of the assembly by the narrow margin of three votes. Among the new members was John A. Macdonald, a young Scotch-Canadian lawyer who had been elected as the Conservative representative for Kingston. Little was accomplished during this session, due to the precariously small majority of the Government, and because friction developed among the majority group. Metcalfe struggled desperately to hold



his Government together, and as a matter of fact a personal loyalty to him was practically the only bond which prevented its disintegration.

Metcalfe's devotion to what he considered his duty to the Empire was truly heroic. While the controversy was in progress, his vitality was being sapped unrelentingly by a malicious cancer which robbed him of the sight of an eye, and continued its ravaging course in his throat and face. Parliament was prorogued again in September, after a session barren of results, and near the end of the year 1845 Metcalfe at last resolved to yield to the advice of his friends and resign. He reached Liverpool in December, and nine months later he was dead. It was perhaps a slight compensation for his Spartan fortitude that he was raised to a peerage before his death, as evidence of the high esteem in which his policies were held in the mother-country. Men like Peel, Stanley, and Gladstone fully approved his course, and thereby revealed a complete lack of appreciation for the forces that were at work in Canada. As for Metcalfe, to quote the words of his biographer, "he felt that he was fighting for his sovereign against a rebellious people." He was utterly impatient with a party system which could boast of no more orderly or disciplined groups than that variety of Canadian organizations which ran the whole gamut of partisan dissensions from the extreme Tories to French rebels and repealers of the union.

*Estimate of  
Metcalfe's  
policy*

The administration of the Earl of Cathcart, the soldier, who succeeded Metcalfe, was brief, and, on the whole, uneventful, except for friction with the United States over the Oregon country. In January, 1847, Lord Elgin arrived in Canada to assume the rôle of governor-general. A contemporary of Gladstone at Oxford, he came from a Scotch noble family, and had married the daughter of Lord Durham. The four years preceding his arrival in Canada he had spent as governor of Jamaica. Lord Elgin came at a most critical time in the history of Canada and in the history of Canada's relations with the mother-country, as will be pointed out in detail later; but he came with the firm resolve to carry the principles advocated by Lord Durham to their full fruition.

*Lord Elgin*

Upon his arrival, Lord Elgin found Metcalfe's last Conservative ministry still holding on to power by the slender majority of two votes. Elgin made no effort to disrupt it, but he also made it clear that he would maintain cordial relations with any other group which might come into control of the legislature. On December 6, 1847, a dissolution took place, and the ensuing election was a triumph for the reformers in both Canada East and Canada West. The new assembly met on February 25, 1848. Among its members was Louis Joseph Papineau, who had returned from his long exile in the United States and France. In less than a week the Conservative ministry suffered an adverse vote and was forced to resign. Lord Elgin had carefully refrained from all interference in the campaign, and on the

*His conception  
of responsible  
government*

defeat of the Government he promptly summoned Lafontaine and Baldwin to form a new ministry, thus recognizing again the political unity of Canada.

*Session of 1849* The session of 1849 was one of the great sessions of the Union Parliament. Among the new members were Georges Etienne Cartier, who had carried a musket in 1837 against the government, and Alexander Tilloch Galt, a brilliant spokesman for the British minority in Lower Canada. Both were destined to become leaders in the building of confederation less than fifteen years later. Lord Elgin read his speech from the throne in both English and French. Earlier he had urged the British government to assent to a change in the law which had made English the sole official language.

*Important legislation* Nearly 200 bills became laws during this memorable session. Among them were bills to refound the University of Toronto on a non-sectarian basis, to revise the judicial system, to promote railroad construction, and a municipal corporations act dealing with self-government for counties, townships, and villages. Efforts were made to secure a reciprocity trade agreement with the United States, primarily to offset the evil effects for Canada of the adoption of free trade by Great Britain. A controversy arose over the arrival of hordes of Irish immigrants, some of whom became a burden upon the colony. Lord Elgin was able to steer a course through all of these complex problems which never once endangered the cordial coöperation of his Government, whatever friction may have developed in other quarters.

*"Rebellion Losses Bill"* The real test of responsible government came with the passage of the Act of Indemnification, or the "Rebellion Losses Bill," as it was popularly known. A general amnesty had been passed for all the rebels of 1837, and of this even leaders like Mackenzie and Papineau had taken advantage to return to Canada. During the rebellion many loyal citizens, or innocent bystanders, had suffered losses. Some had lost guns, cows, or other property, or had had their houses and barns damaged during the fighting. Sometimes these losses were the result of violence on the part of the soldiers as well as of the rebels. Compensation for these damages was proposed as early as 1838, and some funds had actually been voted for this purpose prior to union. Metcalfe had suggested a settlement, compensating all save those who had actually been sentenced in the courts for rebellion and the issue had been settled so far as Canada West was concerned. As a matter of fact, probably not one-tenth of those engaged in the rebellion had ever been arrested, and to award damages on a liberal basis might easily have resulted in granting what would virtually have amounted to a reward for disloyalty.

*Bill of 1849* The bill of 1849 was designed for Canada East or Lower Canada. It provided for a new commission to adjust all "just losses" incurred during the rebellion, the total not to exceed £100,000 to be raised by a special sale of bonds. The measure was sponsored by Lafontaine,

the French-Canadian leader of the ministry, and was drawn liberally enough to satisfy the French-Canadian members of the Government, and also to heal old wounds. Specifically excluded from compensation were those who actually had been convicted of treason, or deported to Bermuda, or confined in jail. It is clear that failure to introduce the "rebellion losses" bill would have ended the term of office of the Baldwin-Lafontaine Government.

The bill led to a storm of opposition both inside and outside of Parliament. It was denounced as a disloyal measure, compensating French rebels for their efforts to destroy the unity of an empire which only the efforts of the British element had saved. The Lafontaine-Baldwin coalition was denounced as the "Rebel Ministry," ugly charges were made on the floor of the assembly, and some of the ex-rebels of 1837 were present in person to defend themselves. On several occasions physical violence was narrowly avoided on the floor of Parliament. In spite of this violent opposition, the bill passed the assembly by a vote of forty-seven to eighteen, receiving a majority even among the British members from Upper Canada.

*Opposition  
to bill*

The governor-general's office was promptly flooded with petitions begging him to dissolve Parliament, or at least to reserve his assent to the measure and refer it to the imperial authorities. Protest meetings were organized by the Opposition, and in Toronto both Mackenzie and Baldwin were burned in effigy. The position of Lord Elgin in the face of all this clamor and violence was absolutely correct. He contended that the principle of responsible government demanded that the governor approve all ministerial measures which had the support of both houses of the legislature, unless the governor was certain that the people of the country did not approve of them. He steadfastly and correctly refused to shift responsibility in a matter of purely local concern to the imperial authorities, because he clearly foresaw that such a course might endanger the solidity of the British Empire. Lord Elgin therefore gave his assent to the bill, regarding it as a purely local Canadian measure, with the unqualified support of his ministers and Parliament.

*Elgin's attitude*

As the governor-general left Montreal (to which city the capital had been removed) for his place of residence, he was greeted by a storm of hisses and epithets, while missiles rained upon his carriage. An egg struck him in the face, and huge stones damaged his carriage. That night the firebells of Montreal called the people to a protest meeting, and at the meeting a mob formed which set out for the Parliament House, wrecking the office of the *Pilot*, a ministerial organ, on the way. The mob found the assembly in session, but a shower of stones soon drove the members from the chamber. The mob then rushed into the building, broke the chandeliers and the furniture, uprooted benches, tables, and the speaker's chair, and started a fire which destroyed the valuable records in the parliamentary library. The next evening a mob wreaked its vengeance on

*Rioting in  
capital*



the houses of members who had supported the "rebellion losses" bill. The rioting continued for three days, and was not checked until the soldiery and a force of 1000 constables were summoned to restore order. Five days later, on April 30, 1849, when the governor came again into the city, his reception was even worse than on the earlier occasion, but Elgin steadfastly refused to meet violence with violence.

*Significance of  
controversy*

The extreme Tories sent petitions to England asking Parliament to intervene, and demanding the disallowance of the "rebellion losses" bill. Their point of view was forcefully presented in London by leaders such as MacNab and Cayley. The bill itself was actually discussed in the House of Commons, and in the debate Sir Robert Peel and Lord John Russell supported the policy followed by the governor, while Gladstone sided with the Opposition. In the end Lord Elgin's course was fully sustained, and his offer to resign was refused by the Colonial Secretary. The principle of responsible government thus was established as a practical working principle. The disgraceful mob violence attending its establishment served thoroughly to discredit the extreme Tory party and to sound the death-knell of the "family compact." Parliament's refusal to intervene put an end to the practice of appealing to England by petition, or protesting to Parliament against responsible government in Canada, and thereafter the imperial authorities were much less inclined to intervene in local affairs. Lord Elgin's conduct did much to draw the French Canadians more closely to the government. Following the rioting in Montreal, the capital was at once removed to Toronto.

*Toward  
complete  
responsible  
government*

By the end of Lord Elgin's administration many of the principles had been recognized for which the reform group contended. No appointments to office were thenceforth to be made by the governor, except after consultation with his cabinet. The civil service had become the patronage, controlled by the leaders of the majority party in the assembly. It was clearly established that the governor must not identify himself with any specific political party, and that he must not interfere in elections. Matters of purely local concern and application were not to be referred to the home government for decision. Finally, it was during Lord Elgin's administration, that the governor ceased to attend regularly at cabinet meetings, a development of great significance for the future status of both the governor-general and the cabinet.

*Maritime  
provinces and  
responsible  
government*

While these controversies over the meaning of responsible government were raging in United Canada, similar battles were being fought, usually on a smaller scale, in the provinces by the sea.

*Problem in  
New Brunswick*

In New Brunswick, established as a separate province in 1784, there was much discontent with a government which was in the hands of a small but firmly-entrenched oligarchy. The latter was closely allied with the Anglican Church, which, though supported by the minority, received special privileges from the government.



The revenue derived from the Crown lands in the province was sufficient to pay the salaries of all government officials, and this made the assembly virtually powerless over the executive. For years the assembly tried to induce the home government to transfer the public lands to its control, in exchange for a permanent civil list.

In 1810 the disability which prevented Roman Catholics from voting in New Brunswick was removed. In 1835 a marriage act legalized ceremonies performed by other than Church of England clergymen. The special privileges of the Anglican Church in educational matters were also gradually extinguished. In the same period the revenues from the customs and from Crown lands were at last transferred to the control of the legislature in return for a civil list. The leader of the reform party in New Brunswick was Lemuel Allan Wilmot, son of a New York Loyalist. Although Lord John Russell, in 1840, agreed that the principle must be followed throughout the British North American provinces that the leaders of the majority in the assembly should be given places in the government, as late as 1842 the opponents of responsible government controlled a majority of the New Brunswick assembly. Naturally they had the support of the lieutenant-governor, who was striving to preserve his power unimpaired by legislative interference.

*Reform  
movement*

In 1842 Sir William Colebrook, the lieutenant-governor, tried to follow Metcalfe's policy in making appointments on his own initiative. But when he appointed his own son-in-law as provincial secretary, even his Conservative ministry resigned in indignation. The election of 1848 was won by the reformers. In 1847 the British government itself had urged the establishment of responsible government as a means of facilitating efficiency and harmony. It was not until 1855, however, that the evolution of responsible government in New Brunswick can be said to have been entirely completed. In 1851 a law was passed to allow counties to establish a separate form of municipal government.

*Success of  
reformers*

In Prince Edward Island, a separate province since 1770, the greatest obstacle in the way of political development was the absentee landlord system, by which most of the island had passed under the ownership of English landlords who had promised to promote its settlement, but who, in the main, had not only failed to fulfil their obligations, but had prevented the development of the province by others. The chief struggle of the Prince Edward Island assembly, established in 1773, was not over theories of government, but with these absent landed-proprietors. Not until 1864 were the first steps taken to permit tenants and settlers to buy their farms from the owners. In 1850 the Crown revenues were transferred to the control of the assembly. The specific occasion in the history of Prince Edward Island when the demand was made for responsible government as such, was a quarrel between the lieutenant-governor and the speaker of the assembly, during an attempt to raise the governor's salary.

*Prince Edward  
Island*

The principle of the assembly's control of the purse-strings was virtually conceded in 1851. In 1853 the franchise was established practically on a universal manhood suffrage basis. In 1863 the legislative council was made elective, and thus the last stage in the evolution of self-government was completed.

*Nova Scotia*

The struggle for responsible government in Nova Scotia deserves more extended discussion. "The Tribune of Nova Scotia," the great hero in this battle for responsible government, was Joseph Howe, son of a Massachusetts Tory who became printer and postmaster-general of the maritime region after the American Revolution. Joseph Howe was one of those magnetic and gifted leaders who make the romance of politics. "Poetry was the maiden I loved," he wrote in later years, "but politics was the harridan I married." From 1835 to 1873 Howe's biography is almost a history of the province.

*Oligarchy in  
power*

Nova Scotia had had an assembly since 1758, but its government was really in the hands of a little oligarchy centering in Halifax, and closely resembling the "family compact" of Upper Canada. This little group usually controlled the governor, and through its control of the professions, banking, and trade it managed to dominate the economic as well as the political life of the province. The bishop of the Anglican Church sat on the council of Nova Scotia and virtually controlled education in the province. The judiciary also was represented on the council. On one occasion five of the leading bankers of the province were included in its membership, and used their power on the council to prevent the chartering of any competing financial institutions. The Halifax group, however, on the whole, governed the province in a more liberal spirit and with greater ability than the governing cliques at Quebec and Toronto in the days before 1837. Men like Thomas Chandler Haliburton, who as "Sam Slick" probably deserves to be called the founder of American dialect humor, could defend this oligarchical system honestly. "Responsible government," wrote this opponent of democracy, "is responsible nonsense."

*Joseph Howe*

Joseph Howe began his career in 1828 as editor of the *Nova Scotian*. In 1835 he attracted attention in a libel suit brought against him because of an article in *The Acadian Recorder*, in which he ridiculed some of the Halifax magistrates and accused them of inefficiency and corruption. His address to the court in defense of his statements established his reputation as a brilliant orator, and in 1836 he entered the Nova Scotia assembly as a Liberal member. At once he began the battle to make the legislative council elective, and to force publicity for its deliberations. In a series of letters addressed to Lord John Russell, Howe explained the defects of the old colonial system with a clarity of statement and a penetration that rivals Lord Durham's better known Report. The struggle for responsible government continued until 1847, and for a time a mixed executive council

was tried in the hope of allaying party strife. During the governorship of Lord Falkland, Howe himself served in the executive council, but resigned when an anti-reformer also was appointed. Howe now launched into most violent controversies with the governor and his Conservative majority. Lord Falkland, driven from office in 1846, was succeeded by Sir John Harvey, an imitator of the principles of Sydenham and Metcalfe.

In 1847 the reformers carried the provincial elections, and in the following year the new lieutenant-governor summoned the Liberals to form a cabinet. Thus by 1848 responsible government had been achieved in the most important of the maritime provinces. The bloodless victory was in large measure the personal achievement of Howe. To quote a distinguished Canadian historian, who has studied closely the evolution of popular government in Canada, "Howe's achievement must be compared with the failure of Mackenzie and Papineau, if his true greatness is to appear."

*Success of  
reformers*

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CHAPTER XIII  
ECONOMIC AND SOCIAL PROGRESS  
(1815-1860)

*Population  
growth*

TEN years after the close of the War of 1812 the population of British North America, not including Newfoundland, was 900,000. By 1830 it had reached approximately 1,400,000, and at the time of the Union Act the population of Upper and Lower Canada alone exceeded 1,000,000. The increase was greater in Upper Canada than in the older province during these years. From 1841 to 1851 the population of Upper Canada virtually doubled, and by 1861 the province boasted 1,396,000 inhabitants. The same census of 1861 indicated a population of 1,111,566 in Lower Canada. Much of this increase in the total population of British North America was due to immigration.

*Tide of  
immigration*

The arrivals at Quebec, the chief port of entry, mounted steadily from 12,648 in 1827 to 51,746 in 1832. About two-thirds of these immigrants hailed from Ireland, where political and economic discontent steadily increased until in the late 1840's nearly a fourth of the people left their native isle to settle in new regions. Many came to Canada to stay, while others used it as a half-way station on their way to the United States. Throughout the 1830's about ten per cent of the total immigration to Canada was Scotch, while something over twenty per cent came from England. Most of these immigrants were poor, and generally found it necessary to hire themselves into service for a time, before they could accumulate sufficient money to move out to the frontier and find a cheap pioneer farm.

*Competition of  
United States*

It was distressing for Canadian leaders to discover that large groups of the more desirable immigrants, many of them skilled tradesmen who had a little available capital, soon deserted Canada to go to the United States. The latter country was passing through a phenomenal development during this period. This development was much more rapid and varied than that of Canada, and therefore it attracted certain types of immigrants who preferred not to wait for Canada's much slower and more conservative progress. Canada had little free capital, and was largely dependent for her business dealings and for investible money upon the United States and Great Britain. The political upheavals and economic stagnation which marked the decade preceding 1837 stimulated a heavy Canadian migration into the American Northwest, which was just being opened to settlement.

Had Canada been able to maintain the ratio of increase in her



population established in the 1820's, her population by 1881 would have been over 16,000,000. Actually, it did not reach 4,500,000 by that year. Near the end of the 1830's the immigration movement suddenly collapsed for a time, and a heavy drainage of population to the United States set in. No effort was made in these years to sift the more desirable immigrants from the hosts of new arrivals, and Irish lords and British government officials for a time planned to use Canada as a dumping-ground for the undesirables and paupers of the home country. Canada was soon complaining loudly because of "the state-aided export of the lower orders" to her virgin soil.

*Criticism of  
immigration  
policy*

In the late 1840's, when Irish immigration reached its peak because of the deplorable conditions prevailing in Ireland, the port towns of Canada experienced a terrible glutting of the unskilled labor market to which the temporary and artificial stimulation of public works could afford little relief. Frightful overcrowding occurred on immigrant ships, and almshouses and hospitals were filled with diseased and starving immigrants. The industrial development of the country was too slow to absorb this sudden addition to the population, and many Canadians began to question the advantage of a British connection which made their young province a place of refuge for many of the misfits of the mother-country. These distressing features of the immigration problem proved to be only the temporary results of the boiling over of the melting-pot. Gradually the stream of immigration was diverted to the West, and although many continued to cross to the United States, thousands helped to extend the Canadian frontier northward and westward.

*Irish  
immigrants*

At the time of the Union Act five of every six Canadians were engaged either in farming or in lumbering. In Lower Canada the unprogressive and often illiterate *habitant* continued to cultivate his ribbon-like farm in the manner of his ancestors a century before. The law permitted even school trustees to affix their marks to their official reports, in lieu of signatures. Agricultural methods were primitive, and the *habitant* seldom rotated his crops. He still lived in the low whitewashed cottages of his fathers, and grumblingly paid the old, inherited feudal dues to the seigniorial families.

*Economic  
conditions in  
Canada East*

Montreal had a mixed French and English population of 40,000, and was the commercial center of the province. Quebec in 1845 had about 50,000 inhabitants, and was still an almost wholly French city. Quebec, Montreal, and Toronto were the only cities in United Canada with a population exceeding 10,000. Three Rivers was a village of 2500 people. The exports of Lower Canada were limited practically to grain and lumber, and under the prevailing British commercial policy foreign vessels were excluded from the St. Lawrence River, and Canadian ships from foreign ports. At Quebec a beginning had been made in ship-building.

*Cities*

In Upper Canada, or Canada West, as this region was known after the union, development had been more rapid, and agricultural

*Agricultural  
progress in  
Canada West*

methods were somewhat more progressive. While oats, rye, barley, corn, and peas were becoming important products, wheat was still the outstanding crop upon which the farmers concentrated because it yielded the greatest cash returns. By 1841 Upper Canada produced 3,000,000 bushels of wheat. Toronto was the business and social center of the province, and in 1841 had a population of 15,000. Kingston, the first capital of United Canada, still had less than 6000 at the time of the union, while Hamilton had scarcely 3000. Bytown, later the national capital of Ottawa, was little more than a wilderness hamlet in 1841.

*Transportation*

Most communities were isolated hamlets and towns, virtually self-sufficing, and dependent for transportation on toll-roads and canals. In 1836 the only railroad in Canada had a mileage of sixteen miles. At that time considerable progress had been made in railroad building in the United States. In the next decade almost every important port in the northern part of the United States was bidding for the trade of the West, and was trying to divert it, by railroads and canals, from Montreal to a United States port.

*Exports*

The exports of Canada in 1841 still consisted largely of timber and grain. A number of flour mills had been built, and as a by-product of the grain business, breweries and distilleries arose near these milling centers. Canada still imported most of her textiles, although Quebec had a growing domestic linen industry, and a few woolen mills were in operation in other parts of the country. There was an iron foundry near Three Rivers. Articles such as soap and candles were manufactured in the homes. Along the coast the fisheries remained the largest source of income.

*Labor and  
prices*

In 1836 wheat sold at ninety cents a bushel in Canada, and flour at approximately five dollars a barrel. Milk was sold in the towns at five cents a quart, butter at fifteen cents a pound, and meat at five to eight cents a pound. Labor was cheap. Domestic servants could expect from five to eight dollars a month, plus board and lodging; farm hands were paid from eight to twelve dollars a month; the ordinary artisan earned about one dollar and a half a day. Labor unions of a local and sporadic character were making their appearance in some of the larger cities, beginning, as in the United States, with the organization of the printers, but they made little progress until after 1870.

*British  
preference for  
Canadian flour  
and wheat*

In the years from 1843 to 1849 the grain and flour business in Canada in some respects enjoyed the advantages of a privileged, vested interest. In pursuance of the old mercantilist principle, by which efforts were made to exclude foreigners from the trade of the Empire, the British Parliament in 1843 passed the Canadian Corn Bill, subjecting Canadian wheat and flour to only about one-fifth the duty paid by foreign producers who imported these products into England. Wheat shipped from the United States to England *via* Canada was not admitted to this privilege, but American wheat,

ground into flour in Canada, enjoyed this preferential treatment when re-exported to England. The natural consequence of this preferential trade regulation was to give a great impetus to the milling industry in Canada, and tons of American wheat were converted into flour in Montreal, Toronto, and other Canadian centers. Canadian capitalists, especially in Montreal, at once invested heavily in this new milling industry and in its various subsidiaries, expecting to reap a rich harvest during the continuance of the preferential policy. A real estate boom and a period of speculation followed in the wake of this unexpected prosperity in the milling towns.

Unfortunately for these Canadian interests, in 1846 England decided upon a sharp reversal of her commercial policy, which involved the abandoning of her protective tariffs and navigation acts, and a gradual change to a system of free trade which would open her ports to the traders of all nations on equal terms. Under this new policy the duty on grains imported to England was gradually reduced, and finally extinguished by 1849. At the same time Great Britain began to reduce her duties on foreign timber, especially from the Baltic countries, and at once the lumber interests of provinces such as New Brunswick filed protests against the necessity of facing this new competition. Finally, in 1849, the British Navigation Acts were repealed, depriving Canadian shippers of their special monopoly in the carrying trade with the British West Indies.

*England turns  
to free trade  
policy*

These sweeping changes in the British fiscal system brought strenuous protests from the boards of trade of many Canadian towns. The shipping interests combined with the lumbering and milling interests to oppose measures which meant heavy financial losses to Canada, and many influential Canadians objected to a system by which they had to endure a period of depression and bankruptcy as the price of Britain's conversion to free trade principles. Every hope that Canadian millers and grain-dealers would become the great middlemen in the trade with the American West seemed to be destroyed forever. Property values in the booming mill towns fell as much as 50 per cent from 1845 to 1848, and three-fourths of the businessmen in some of these centers became insolvent. Unemployment and stagnation prevailed in parts of Canada, at a time when the United States seemed to be enjoying a period of unusual prosperity and expansion. Instead of trade coming from the United States into Canada, it seemed likely that the current of business would be completely reversed.

*Effects upon  
Canada*

In their desperation many Canadian businessmen began to question the desirability of continuing the British connection. Even the loyalty of the extreme Tory group was affected by this pinch of the pocket nerve, and it is not without significance that many of those who suffered most severely from this economic distress should also have been among the bitterest opponents of the "rebellion losses" bill and Lord Elgin's policy, discussed in the preceding chapter. With

*Canadian  
protests*



England on a free-trade basis, and all pecuniary advantages of the British connection destroyed, why should not Canada assert her fiscal independence, and seek closer trade relations, or even annexation, with the United States? The United States Congress promptly passed a law permitting Canadian goods to go through the United States in bond without paying duty—a measure obviously designed to make New York the distributing point for the Canadian West. Lord Elgin strikingly summarized the situation in a dispatch to the home government: "Peel's Bill of 1846 drives the whole of the produce down the New York channels of communication, destroying the revenue which Canada expected to derive from canal dues, and ruining at once mill-owners, forwarders and merchants. . . . What makes it more serious is that all the prosperity of which Canada is thus robbed is transplanted to the other side of the lines, as if to make Canadians feel more bitterly how much kinder England is to the children who desert her than to those who remain faithful."

In their anxiety a minority of Canadian businessmen advised annexation to the United States. There were prophecies that Lord Elgin would be the last governor-general of Canada, although others insisted that the whole annexation agitation was a Tory scheme to compel the governor to turn out his Liberal ministry. A few argued vigorously against closer affiliation with a slave-holding power like the United States.

In 1849 an Annexation Manifesto was issued at Montreal. This document argued that there were no immediate prospects for relief by a revival of protection in England, or by the adoption of a protective tariff in Canada, or by the federation of the provinces, or by reciprocity with the United States. From such a pessimistic analysis the conclusion was obvious, namely "a friendly and passive separation from British connection and a union upon equitable terms with the great North American Confederacy of Sovereign States." Annexation, it was maintained, would bring United States capital to Canada and inaugurate an era of unusual expansion. Canada would cease to be the bone of contention between the United States and Great Britain, and all political and racial difficulties in Canadian life would immediately disappear.

Within ten days more than 1000 people signed the Annexation Manifesto. Among the signers were J. J. C. Abbott, a future prime minister of the Dominion of Canada, John Rose, later minister of finance under Macdonald, a future lieutenant-governor of Ontario, and others of equal prominence. Most of the signers were Conservatives, politically, and only about three per cent were French Canadians, and these were not the important leaders of their group. It is interesting to note, in passing, that at least one American legislature, that of Vermont, passed resolutions urging the peaceable annexation of Canada at this time.

The annexation movement collapsed very speedily. Counter-

*Annexation  
movement of  
1849*

*Annexation  
Manifesto*

*Its signers*



manifestos appeared, and a second manifesto secured few signers. The commercial depression which was the main cause of the movement proved to be of much shorter duration than had been expected, and the end of 1849 brought a bumper harvest. The annexation movement was always limited to a small but influential minority. In Canada East, it had no support outside of Montreal and the eastern townships, where many of the isolated English settlers welcomed a way to escape French domination. A few French radicals favored the movement because of their republican principles. Canada West was almost solidly opposed to annexation, and Mackenzie, back from his exile in the United States, and disillusioned by his first-hand observations of American democracy, strongly advised against it. The Canadian ministry vigorously opposed annexation and considered it virtual treason to the Crown, and the United States government happened to be so absorbed in its own sectional controversy over slavery that it could give no encouragement to the proposal. With the revival of prosperity the agitation was speedily forgotten.

*Collapse of  
movement*

In the minds of Lord Elgin and some members of his Government, the logical solution for Canada's commercial troubles, and the best way to avoid a recurrence of the alarming events of 1849, was to make arrangements for closer trade relations between Canada and her southern neighbor. The discussion of the relative advantages of a freer exchange of products between these two countries finally culminated in the Reciprocity Treaty of 1854. Reciprocity between the United States and Canada had been suggested by some Canadian leaders as early as the 1830's. It had also been discussed in the United States, and several bills, introduced in the late 1840's, either had been defeated in the Senate, or else had become lost in the controversy over slavery then raging in the American states. The discussions of a reciprocity agreement were now extended to include new arrangements for the fisheries and for the use of international waterways, as well as for a free exchange of natural products.

*Proposal of  
reciprocity with  
United States*

These negotiations reached a tangible form during the administration of President Pierce. Lord Elgin went personally to Washington to conduct the negotiations with Secretary of State William M. Marcy, and to overcome the opposition of certain Democratic senators to the reciprocity proposals. Dinners, at which champagne flowed freely and Lord Elgin's social graces were charmingly displayed, did much to win the support of Americans who at first seemed hostile. The Elgin Treaty of Reciprocity was concluded on June 5, 1854. In October it went into effect in Canada, and in the following spring, in the United States. It was accepted by all of the British North American provinces except British Columbia.

*Negotiations*

The treaty contained seven articles of which the most important are summarized below. The first two articles gave United States fishermen full rights to the inshore fisheries of British North America, except for shell-fish, and guaranteed to the British similar rights in

*Treaty of 1854*

American waters. Another article gave Americans navigation rights on the St. Lawrence River and on the canals between the Great Lakes and the Atlantic Ocean, on the same terms as British subjects, while Canadians were given similar rights in Lake Michigan, and the United States government agreed to urge the states to grant the use of the state canals on similar terms. Article III enumerated a long list of natural products, such as grain, foodstuffs, meats, cotton and wool, poultry, hides, stone, fruits, vegetables, dairy products, etc., which should be admitted free of duty by both countries. Provision was made for the later adherence of Newfoundland to the treaty, should that province care to accept it, and for a method for the abrogation of the agreement after the ten-year period fixed in the treaty had expired.

*Effects upon  
Canada*

The decade following the ratification of the treaty was one of remarkable prosperity in both countries. No doubt Canada also reaped the benefits of her railroad-building program during these years and of the extraordinary market for her goods created by the Crimean War, but there can be no doubt that reciprocity added greatly to this prosperity. The panic of 1857 was but a temporary check on these developments. New towns arose along the new railroad routes, and manufacturing boomed. The prices of Canadian food products increased fully fifty per cent from 1851 to 1857, and the average annual value of goods exchanged between the United States and Canada increased over two and a half times from 1855 to 1866. During the last four years of the treaty Canada's exports to the United States were more than double her imports.

*Termination of  
agreement in  
1866*

The Reciprocity Treaty was cancelled by the United States in 1866, for a variety of reasons. Perhaps the most important reason was political, rather than economic, for the United States had become distinctly unfriendly to Great Britain because of the latter's attitude and conduct during the American Civil War. Many in the United States opposed what they considered a one-sided bargain. Moreover, reciprocity clearly was contrary to the desires of the protective tariff interests which arose in the United States during and after the Civil War. Some Americans may have believed that the abrogation of the treaty would hasten the time of annexation. The annulment of the treaty was particularly injurious to the maritime region of British North America and to the West, and perhaps on that account it helped to promote sentiment in favor of a federation of all of the Canadian provinces. All attempts to revive reciprocity with the United States have so far been in vain. Only the privilege to use the St. Lawrence River, temporarily granted to the United States in 1854, was restored permanently by the later treaty of 1871, and this was done largely because Canada hoped thereby to attract the products of the American West, and make the St. Lawrence route the outlet to Europe.

This middle period of Canadian history also marked the expansion

of Canadian banking facilities. In 1822 there were but three banks in Lower Canada regularly chartered by the provincial authorities. The number increased slowly in the various provinces. As a rule Canadian banks had a larger capital stock than the banks operating during the same period in the United States; branch banks were established frequently, and in general Canada followed the sound banking model of Alexander Hamilton's first United States Bank. In spite of carefully devised banking laws, progress was slow on account of the scarcity of liquid capital in Canada. The panics of 1837 and 1857 compelled many of the banks to suspend specie payments for a time, and some were seriously involved in the land and railroad speculation which was rampant in this period. Nevertheless prior to 1866 no Canadian bank of any importance had failed—a remarkable record as compared with the history of banking during these years in the United States. In 1853 Canada adopted the decimal system of money, and her intimate business relations with the United States led her to adopt the American dollar, rather than the British pound sterling, as her unit of currency. Gold became the monetary standard, and silver was made legal tender for amounts not exceeding ten dollars. Both the British sovereign and the United States dollar were acceptable in unlimited amounts as lawful money.

*Canadian  
banking*

The decade of the 1830's marks the beginning of a great era of internal improvements in Canada. Early travel had been by trails and corduroy roads, and later by plank roads. The latter, consisting of planks laid crosswise, and covered with mud and dirt, was an invention of Upper Canada. Canal-building, to facilitate travel around the rapids in the many Canadian streams, had begun as early as 1779 along the lower St. Lawrence. In 1824 the Welland Canal, the most pretentious canal venture of this early period, connecting Lake Erie and Lake Ontario, was begun under private auspices. The promoter of this great venture was William Hamilton Merritt; one of the chief stockholders in his company was J. B. Yates of New York, also one of the promoters of the Erie Canal. In 1829 the first vessels passed through the Welland Canal. In 1840 the enterprise was taken over by the province of Upper Canada, and before the close of the decade it was possible for vessels drawing nine feet of water to pass from Chicago to the sea.

*Internal  
improvements*

The Lachine Canal, along the St. Lawrence route, was built and opened by the Lower Canadian government in 1825. Many other canals were necessary to complete the St. Lawrence route, such as the Chambly Canal connecting Lake Champlain with the St. Lawrence, and the Williamsburg Canal. The Rideau Canal was opened in 1832. For many years Lower Canada's indifference to her share in improving the St. Lawrence route was a serious handicap to Upper Canada, and a cause of friction between the two provinces. This extensive canal system has been constantly improved in order to keep pace with the development of lake transportation. In more recent years many of

*Canals*



these canals have been equipped with magnificent electric lock systems, and the St. Lawrence channel itself has been dredged and deepened at various intervals by the government.

*Shipping*

In the 1840's the first boat lines were established on the Great Lakes and the St. Lawrence River. One of the first of these companies was the *Royal Mail Line*, operating on Lake Ontario and the St. Lawrence. Ship-building developed rapidly in Lower Canada and in the maritime region. By 1852 Quebec alone had eight floating docks and twenty-five ship-building places, and as many as fifty wooden ships were launched in a single year. Magnificent clippers, capable of making fourteen knots an hour, came from the docks of builders like Pierre Brunelle in Quebec. In 1865 Nova Scotia built, mostly at Pictou, a tonnage of 56,000 tons valued at \$2,500,000, and in the same year New Brunswick launched 148 vessels. By this time, however, the era of steel ships had come, and since 1865 there has been a steady decline in the building of wooden ships.

*Atlantic  
Steamers*

The first vessel to cross the Atlantic Ocean under steam power was the *Royal William*, which made the voyage in 1833. This boat was a side-wheeler, built at Quebec, and owned and manned by Canadians. The first line of steamers in the transatlantic service was established by Samuel Cunard, the son of a Philadelphia merchant who had migrated to Halifax during the American Revolution. Cunard secured a subsidy from the British government for carrying the mails. His first steamer crossed the Atlantic in 1840, and by 1855 he began to operate iron ships in this service.

*Lake traffic*

By the middle of the nineteenth century boat service on the inland lakes and rivers of Canada had to meet the competition of the newly-developed railroad lines, particularly the Grand Trunk, which by 1855 paralleled the water route from Montreal to Toronto. A ruthless rate war followed between the shipping interests and the railroads, and at one time it was possible to travel from Montreal to Quebec, with first class accommodations and meals, for seven dollars, while steerage passengers made the trip for twelve and a half cents. The railroads of course had the advantage in winter when the waterways were frozen over. As late as 1850 prices in Montreal virtually doubled whenever winter closed the river traffic. For a time the steamship companies tried to run a line of stages in winter to keep their business from passing under the control of their competitors during the winter season. It was not until years later that the opening of new areas by the railroads added to lake traffic. When this happened, the railroad companies began to buy or build lake steamers and ocean liners to serve as subsidiaries to the steam roads.

*Railroads*

The railroad era in Canada begins with the decade of the 1830's. The first Canadian roads were generally "portage roads," built to fill in the gaps between rivers and canals. The primitive cars of such a pioneer road as the Champlain and St. Lawrence Railroad, a little sixteen-mile line from La Prairie on the St. Lawrence River to St.



Johns, were drawn by horses over wooden "snake-rails" to which iron bars were strapped. The road was operated only in summer. The first steam engine, and the engineer to operate it, were imported from England in 1837. But the European pilot proved unable to handle the engine, and it was necessary to borrow an engineer from the Baltimore and Ohio Railroad in the United States. No great progress was made for another decade. The first steam road in Upper Canada was the Toronto, Simcoe and Huron Union Railroad, developed eventually to make the portage from Lake Ontario to Lake Huron.

In the middle of the century the period of government aid to railroad building began. Men of vision and statesmanship, like Joseph Howe in Nova Scotia and Francis Hincks in Upper Canada, came to realize how important great railway systems were for the development of a Canadian nationality. In 1847 a survey was made of the route between Halifax and Quebec, and the governments of New Brunswick, Nova Scotia, and Canada coöperated to meet the expenses of this engineering project. In 1854 a railroad was begun from Halifax to Truro, and by 1867 Nova Scotia had 145 miles of railroad, radiating from Halifax to the Gulf of St. Lawrence and the Bay of Fundy. New Brunswick found the promotion of railroads a much more difficult task, and her leading road early fell into the hands of receivers. By 1860 the Grand Trunk Railway was completed from Lake Huron to the Atlantic coast. The road was poorly constructed and badly managed, most of its securities were held in England, and in spite of repeated aids from the Canadian government it never was able to pay dividends on its common stock.

*Government aid*

The early railroad policy of United Canada was embodied in the Guarantee Act, drafted by Francis Hincks, and adopted by the Canadian Parliament in 1849. Under the provisions of this law the government of Canada undertook to guarantee 6 per cent interest on half of the bonded debt of any company which built a railroad in the province at least seventy-five miles long, the guarantee to take effect when one-half of the road had been constructed. The government retained what amounted to a first mortgage on the road's assets after the claims of bondholders had been met. In 1852 the Grand Trunk received a guarantee of £3,000 per mile, in addition to land grants. Subsequent legislation permitted municipalities to take stock in railroad companies and to issue municipal bonds in order to raise the money to finance these enterprises. The result was that the vast majority of towns overspeculated and soon were unable to pay even the interest on these bonds.

*Francis Hincks  
and railroad  
policy*

A veritable traffic in railroad charters began, and lobbyists appealed for more and more aid to complete their enterprises. One town of less than 9,000 inhabitants borrowed nearly \$1,250,000, and was soon \$625,000 in arrears on interest alone, as a result of its plunge into railroad promotion. Canada West, perhaps because it was the

*Abuses*

younger province, was much more deeply involved in these financial troubles than Canada East. Scores of little roads were built which were quite unnecessary and which never paid for themselves. The government soon found it necessary to check this overspeculation, and the heavy public debt incurred in promoting these railroads was one of the causes of the serious financial panic in 1857 and 1858.

*Railroad  
development to  
1860*

In 1850 Canada had just sixty-six miles of railroad. A decade later, the total mileage for all the British North American provinces was 2,065. The total cost of this construction has been estimated at twenty dollars per capita of the population. The panic of 1857 brought a temporary check to this orgy of railroad building, and many companies were forced to the wall by the prolonged depression following this financial crisis. For a time investors were more cautious about sinking their capital in transportation ventures. The great railway systems of modern Canada were almost all the achievements of a later day.

*Postal service*

Another improvement in the facilities of communication came about through the reorganization of the post-office department. In 1840 postal rates were still comparatively high; they were not uniform throughout the provinces, and there was much criticism of the way in which the service was managed by the British authorities. In 1847 delegates from the provinces of Canada, New Brunswick, and Nova Scotia met at Montreal and advised a total reorganization of the postal service and a reduction in rates. Two years later the British Parliament passed an act transferring control of the North American postal service to the various provincial governments. The inauguration of the period of local control marks the beginning of an era of expansion and improvement in postal facilities. From 1851 to 1867 the number of post-offices in Nova Scotia increased from 143 to 630; in New Brunswick, from 101 to 438; and in Canada from 601 to 2,333. Although rates were reduced, revenues steadily increased. In 1851 the use of postage stamps was introduced. Before this, the receiver of letters had paid the charges of transportation. A system of money orders and railway post-offices was gradually introduced; by 1853 the first Canadian Ocean Mail Service was established.

*Exploration of  
West and  
North*

The development of internal improvements and the steady increase of population revived an interest in the opening and development of the region west of the settlements of Upper Canada. This section of British North America was still the great fur preserve and the hunting-ground of the Hudson's Bay Company and the native Indians. Explorations during the period from 1840 to the formation of the Confederation in 1867 were largely confined to expeditions into the great north, above latitude 60°, and extending from Hudson Bay to Alaska. The best known of these expeditions into the perilous Arctic was that of Sir John Franklin, who sailed in 1845, equipped with three years' provisions, to seek the northwest passage through the Arctic Ocean. Franklin's ships, after passing Baffin Bay, were never

seen again, except by Eskimos. Franklin himself died in 1847, and his party abandoned their ships and started overland on sleds for a Hudson's Bay Company post. None of the missing explorers were ever heard of again and a series of relief expeditions failed to find trace of them. The mystery of their disappearance was not solved until 1857-59, when an expedition financed by Lady Franklin came upon clothing, skeletons and a written record preserved among the stones beyond King William's Land. The ambition actually to sail a ship through the northwest passage of the Arctic was not realized until the beginning of the present century, when the Norwegian explorer, Captain Roald Amundsen, at last negotiated this perilous voyage.

Explorers and traders of the Hudson's Bay Company frequently visited the Yukon region. During the late 1850's numerous surveys were made which added much to the geographical knowledge of the great West between Lake Superior and the Rocky Mountains, and a number of bold and adventurous spirits made important transcontinental journeys. It was during these years that the gaps in the geography of British North America were gradually filled in.

*Rounding out  
geography of  
British North  
America*

The year 1830 marked a change in the Indian policy of Canada. The older theory was one of allowing the Indians to manage their own affairs, establishing friendly trade relations with them, and utilizing them occasionally as allies, or at least preventing them from becoming too friendly with a rival power. No effort was made officially to turn the natives from their tribal life and teach them the ways of the white man's civilization, although missionaries of almost every denomination had been at work for decades on a heroic but feeble program of civilizing and Christianizing them.

*Indian affairs*

About 1830 a new policy was inaugurated by the British government. This contemplated an attempt to break up the tribal organization and to collect Indians in sufficient numbers to settle them in villages and on lands provided for the purpose. Strenuous efforts were made to stop the rum traffic with the natives, as well as the annual distribution of presents by the government. The latter had long been regarded as one of the Indian's vested rights. The number of presents was reduced gradually, and eventually the right to receive presents was commuted into cash payments. The government made plans to provide religious training and agricultural education for the Indian population congregated in the newly-created villages, and rather generously provided the native farmer with farm implements, seeds, and even rations.

*New Indian  
policy*

Indians remained under the special protection first of the British and later of the Canadian government. It was the plan to permit the natives to vote and hold office as soon as they acquired enough property to meet suffrage requirements. On July 1, 1860, all control of Indian affairs by the imperial authorities ceased. Up to that time the Indian service had been under the direct control of the governor-



general. In that year it was transferred to the Canadian provincial authorities. After the Confederation the opening of the new West made the Indian problem one of the most important problems with which the Dominion government had to deal. How well and how honestly this difficult situation was managed, must be left for discussion in a later chapter.

*Catholic  
Church in  
French Canada*

The religious development of the British-American provinces kept pace with their economic progress, and although it is more difficult to appraise because of the intangible nature of religious forces, it was probably of equal significance in the social history of the British North American provinces. The Roman Catholic Church, the oldest of Canada's religious institutions, had made its peace with the English conquerors before the close of the eighteenth century, and was now making steady progress. Undoubtedly the French Revolution did much to strengthen the Canadian Catholic Church. Scores of exiled French priests came to swell the ranks of the Canadian clergy, while the undying hostility of the French Canadians toward the radicalism of the French Revolution served to impress the English government with the loyalty of their new subjects. Bishop Plessis of Quebec loyally supported England in the War of 1812, and gained a seat on the legislative council of Lower Canada. It was under his careful and able leadership that the Catholic Church in Canada was consolidated and firmly established in the eyes of the British authorities as one of the institutions of Canada which must be left undisturbed.

*Westward  
expansion of  
Catholicism*

By 1826 Upper Canada was organized as a separate diocese, and ten years later the Roman Catholic element constituted nearly one-sixth of the population of that province. In the maritime region, the removal of political disabilities of Catholics was a slower and more difficult task. Throughout the nineteenth century the Church continued its educational and charitable work in the provinces, and particularly among the natives and pioneers of the West. Devout Catholic missionaries still lived among their Indian converts, as they had done a century before, enduring great hardships in order to carry the blessings of Roman Catholic Christianity to their red children. One of the most worthy of these pioneers in the cause of religion was Bishop Taché who was ordained a priest in 1845. At that time there were but six regularly ordained Catholic clergymen in the region between Lake Superior and the Rocky Mountains. Bishop Taché became especially active in the Red River valley settlements. At the time of his death, in 1894, he had the satisfaction of seeing five bishoprics and 175 priests at work in the territory where there had been but six when he began his labors.

*Church of  
England*

The Church of England, at the beginning of the British régime, and in Upper Canada until the middle of the nineteenth century, enjoyed the privileges of a state Church. Lands were set aside for its support, and the connection between the Church and the govern-



ment often was very close. The first Anglican bishop, established in Nova Scotia in 1787, had a diocese including virtually all of British North America. The Loyalist migrations after the American Revolution helped greatly to swell the ranks of the Church of England in British North America, and Ontario has remained the great stronghold of this denomination. Anglican missions have been established in great numbers in the northwestern country. A number of denominational colleges, like the King's Colleges of Nova Scotia and New Brunswick, and Wycliffe College at Toronto, give evidence of the interest of this group in higher education.

Most of the so-called dissenting sects came into Canada from the United States. The first ordained Presbyterian minister came to Nova Scotia from New England in 1764. The first Baptist church in Nova Scotia was founded by a minister from Massachusetts, and practically all the early churches in Upper Canada were the result of immigration or of influences originating in the United States. The first preachers of Methodism in Canada were sent by the American Methodist Church, and a formal separation of the Canadian and the American organizations did not occur until 1828, and then largely because the enemies of Methodism frequently charged this group with being "American in their origin and feelings," and with secretly disseminating principles destructive of British institutions in Canada and likely to lead to the establishment of a republican form of government. All of these dissenting sects had a long and hard battle to fight with the Anglican Established Church in most of the provinces, before they could gain sufficient legal status to perform even marriage ceremonies. In this struggle for the recognition of the rights of the dissenters, the name of Adolphus Egerton Ryerson (1803-1882) stands out above all others.

*Dissenting  
sects*

Because of the more equalitarian and emotional type of religion preached by the Baptists and Methodists, these denominations made rapid headway on the frontier. The Methodist circuit rider brought the comforts of salvation to many a lonely pioneer family, and often served as the most important connecting link with the outside world. Indian missions, boarding schools, day schools, and trade schools were established by all of these religious groups, as well as missions and schools for newly-arrived immigrants in the cities. These and other denominations have continued to exercise great influence in the field of social service, in the agitation for temperance reform, and in the promotion of facilities for higher education.

*Religion in  
new West*

Education during this period was emerging from the pioneer stage. Owing to the remarkable gifts of Dr. Adolphus Egerton Ryerson, Upper Canada led all the provinces in educational progress. Here the struggle for free schools was a crucial issue in the long controversy between the champions of aristocracy and democracy culminating in the rebellion of 1837. The "family compact" and its supporters adhered to the belief that education was a privilege of the few, while

*Educational  
progress*

the reformers, in the main, demanded educational facilities for all and wished education to be free from sectarian control. In the battle over these conflicting points of view Bishop John Strachan of the Anglican Established Church represented the opponents of universal and non-sectarian education, while Ryerson became the leading champion of the non-conformists. Although of Loyalist stock and in general a believer in Tory principles, Ryerson valiantly championed the cause of education for all of the people, as the "best security of a good Government and constitutional liberty." In 1844 he became superintendent of education. After a tour of Europe to study its educational systems, he drafted the education bill passed in 1846, which is still the basis of public instruction in Ontario. Grammar schools, which had been providing secondary education, were taken over by the government in 1853 and later became public high schools.

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## CHAPTER XIV

### FOREIGN RELATIONS (1783-1850)

*Canadian-  
American  
relations*

MOST of Canada's international disputes have grown out of questions concerning the thousands of miles of common frontier between the United States and the British North American provinces. At this point it is necessary to review briefly some of these leading controversies and their settlement, in the period from the Treaty of Paris of 1783 to the middle of the nineteenth century.

*Controversies  
raised by  
Treaty of 1783*

A number of these controversies were the result of defects in the Treaty of 1783, by which the United States came into being as an independent nation, and these defects in turn resulted from the imperfect geographical information at the disposal of the negotiators at that time. The famous Mitchell's Map of North America, prepared in 1755, was undoubtedly the one used to define the new international boundary between British North America and the United States, and this map was later found to contain many inaccuracies. The first boundary dispute involved the northeastern limits of the United States.

*Maine  
boundary  
dispute*

By the Treaty of 1783 the boundary between the United States and British North America was described as running up the St. Croix River to its source, thence due north to the highlands in the northwest angle of Nova Scotia, and down these highlands, which served as the watershed between streams running into the St. Lawrence River and those emptying into the Atlantic Ocean, to the north-westernmost head of the Connecticut River. Hence the line proceeded down the middle of that river to the forty-fifth degree of latitude, and then west along this line as far as the Iroquois or Cataraquy River. Many of the terms used in defining this boundary were open to challenge. No less than three rivers might have been the St. Croix, and the watershed and the angle of Nova Scotia mentioned in the treaty were even more difficult to locate accurately.

*Locating  
St. Croix River*

From the first, both Massachusetts (which then included the present State of Maine) and Nova Scotia granted land in the area in dispute. When Canadian settlers began to enter the region in controversy, Governor Hancock of Massachusetts requested Governor Parr of Nova Scotia to recall "those subjects of His Majesty who have . . . planted themselves within this commonwealth." Jay's Treaty of 1795 provided for a joint commission to settle the disputed boundary by determining the exact location of the St. Croix River. Three commissioners were appointed, surveys and arguments were prepared with great care, and the commission personally visited and



examined the region in controversy. In addition, the commissioners secured depositions from John Jay and John Adams, two of the American peace commissioners of 1783, to ascertain the intentions of the framers of the treaty. Excavations dating from Champlain's time, revealed the remains of a settlement at the mouth of the Schoodic River, and thus it was possible to fix the "Ile Ste. Croix" mentioned by that explorer. In 1799, the commissioners agreed that the Schoodic was the St. Croix. The actual marking of the river was not completed until 1913. The decision on the whole was favorable to Great Britain.

The ownership of several islands in the Bay of Fundy, near the mouth of the St. Croix River continued to be a matter of dispute between the United States and Great Britain. During the War of 1812 these islands played some part in England's operations, and following the war, Great Britain refused to return one of them, although the basis of the peace was *status quo ante bellum*. The Treaty of Ghent provided for the appointment of a commission to settle this controversy, and in 1817, after much difficulty, a solution was agreed upon by compromise. The United States received Moose Island and two tiny islands dependent on it, while Great Britain got all the rest, including Grand Manan, an important fishing base, and the most valuable of all. The final water boundary in this region was not determined until 1908, when it was settled by arbitration.

*Islands in  
Bay of Fundy*

The question of the "Highlands line," established by the Treaty of 1783, remained for settlement. The original negotiators probably had a watershed in mind, but it was soon discovered that highlands in the sense of mountains did not exist. Several attempts made before 1814 to adjust this dispute ended in failure. In the Treaty of Ghent it was agreed that two commissioners should run the international line from the source of the St. Croix River to the Lake of the Woods, the western extremity of the Great Lakes chain. Thomas Barclay, of Nova Scotia, and Cornelius P. Van Ness, of Vermont, were chosen for this complicated task. For nearly eight years the commissioners wrangled over the method of procedure and the conclusions to be recommended, and in 1822 each filed his own report and agreed that further coöperation was impossible.

*"Highlands  
line"*

Some years later the controversy assumed more than technical significance. In the northeast of the United States a number of Maine lumbermen began to contest with New Brunswick lumbermen the right to cut timber in this disputed area. In 1827 an American citizen was arrested by New Brunswick officials while at work in this neighborhood, and the United States government made the incident the occasion for a note to Great Britain demanding not only his release, but indemnity for his illegal confinement. In September, 1827, Albert Gallatin, the American representative in London, secured the consent of the British and the American governments to a proposal to submit the issue to a single arbiter for settlement. The King of the

*Points at issue*

Netherlands was selected, and Gallatin presented the case of the United States very effectively. Without going into too many details, we may remark that the Treaty of 1783 provided that the line should follow "along the said Highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean." The main question at issue was whether the St. John River, emptying into the Bay of Fundy, flowed into the Atlantic Ocean in the sense in which that term was used in the treaty. About 12,000 square miles of territory were at stake. The main contention of the British was that the "highlands line," insisted upon by the United States, only divided the rivers flowing into the St. Lawrence from those emptying into the Gulf of St. Lawrence, or the Bay of Fundy, and ignored the Atlantic Ocean altogether, and that "highlands," in the sense in which the word was used in the treaty, must be a continuous and well-defined ridge. The British insisted that the boundary must follow the most pronounced line of hills, starting at a point known as Mars Hill, about one hundred miles south of the watershed of the St. Lawrence, and made a distinction between the Bay of Fundy and the Atlantic Ocean.

*Failure of  
arbitration in  
1831*

In 1831 the King of the Netherlands made his award. He followed neither the British nor the American claims, but proposed a compromise, by which about one-third of the 12,000 square miles in dispute would have been granted to Great Britain, and the rest to the United States. It was very unfortunate that the United States Senate refused to ratify this settlement which was essentially fair. As a result, the controversy dragged on into the 1840's, and as the years passed, the State of Maine became more stubborn, and refused repeatedly to make concessions which might have enabled an adjustment by compromise.

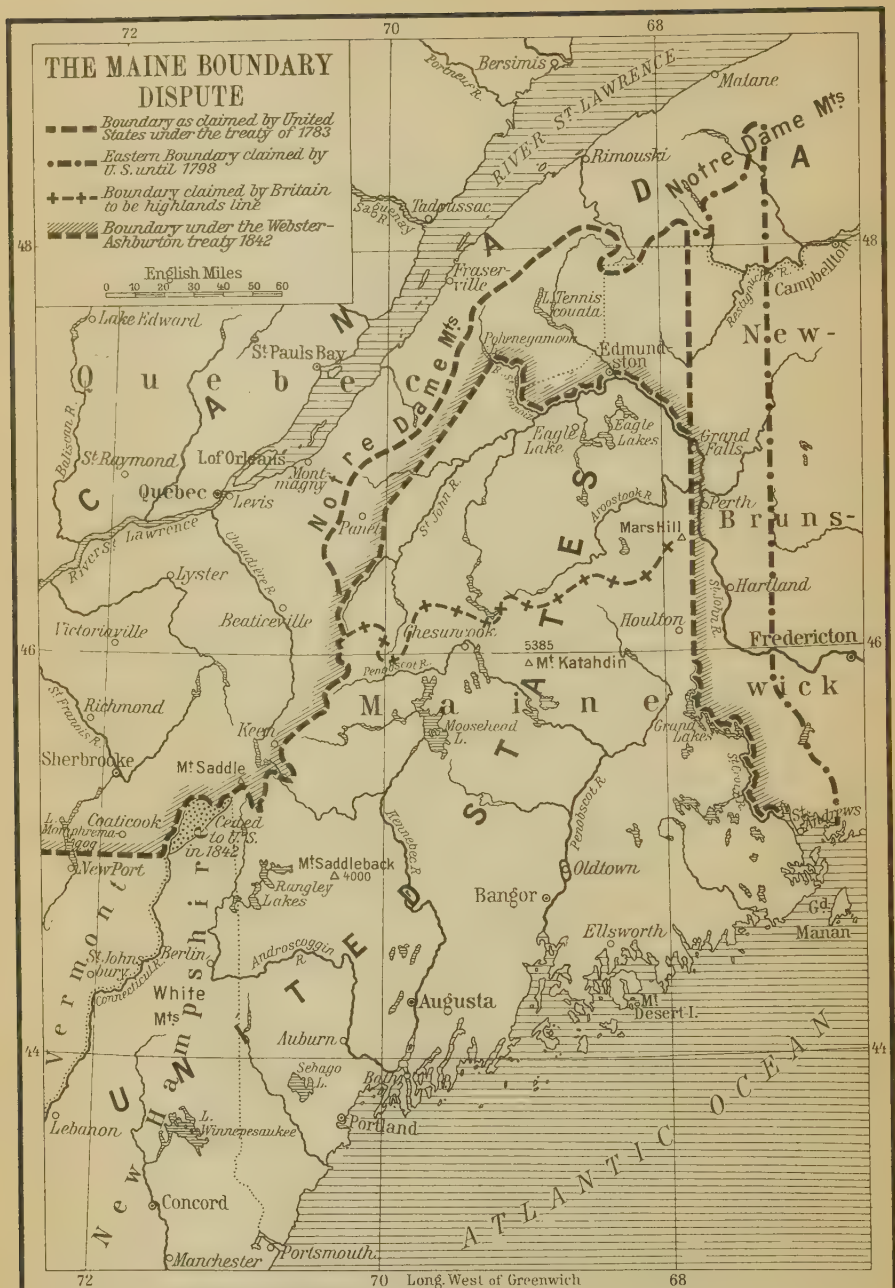
*Border troubles*

From 1831 to 1839 a number of border disturbances occurred between citizens of Maine and New Brunswick, culminating in the Aroostook War, or the "War of Pork and Beans," as it came to be known in Maine. In 1831 a riot had resulted when Maine tried to hold an election in the disputed area, and clashes between lumberjacks were not infrequent. The British, moreover, were making plans to build a road through the disputed region from Halifax to Quebec.

*Aroostook War*

In 1838 the Aroostook War began. An officer of the State of Maine, trying to arrest some British lumbermen at work in the Aroostook valley, was himself arrested by the New Brunswick authorities. The Maine legislature promptly appropriated \$800,000, raised her militia to fighting strength, and built some defenses, in order to protect the rights which she claimed had been violated. The United States Congress was equally militant, and a credit of \$10,000,000 and the calling of 50,000 volunteers were authorized to support the contention of the injured state. New Brunswick retaliated by voting appropriations and by sending 850 militia into the contested district, while her sister province, Nova Scotia, eagerly came to her support.







Governor Fairfield of Maine seemed intent upon war, and the troops at one time were not more than thirty yards apart, with a fordable stream between them. Fortunately President Van Buren was more peacefully inclined. He sent General Winfield Scott, who had already had some experience in dealing with border troubles with Canada, to effect a reconciliation, and for the time being bloodshed was avoided. In 1839 a *modus vivendi* was arranged by the governors of Maine and New Brunswick, by which Maine for the time retained possession of the Aroostook valley, and the British retained possession of the valley of the Upper St. John.

The disputed Maine-New Brunswick boundary was finally settled by the Webster-Ashburton Treaty. At the time of these negotiations the relations between the United States and England were suffering from an accumulation of troubles. About 100,000 acres were in dispute near the head of the Connecticut River. An error in the surveying of the forty-fifth parallel was discovered, and it was found that the fortress built by the United States at Rouses Point, commanding the outlet of Lake Champlain, was really in British territory.

Other issues

In addition to disturbances along the Maine frontier, the border troubles between the United States and Canada during the rebellion of 1837 had reached a critical stage. The destruction by Canadian militia of the *Caroline*, an American vessel carrying supplies to the Canadian rebels on Navy Island, and the consequent loss of at least one American life, had precipitated a diplomatic crisis. The situation was further aggravated when a Canadian militiaman boasted in a New York saloon of his participation in the *Caroline* affair and was arrested and charged before the New York courts with the murder of a United States citizen.

Caroline affair

Alexander McLeod, the Canadian in question, claimed that he was not subject to the courts of New York State, since his acts in the *Caroline* affair were the result of orders from his military superiors. England, quite properly, supported his claim, and demanded his immediate release. The United States government was willing to comply, but owing to the American dual system of government the federal authorities had no legal way to interfere with the processes of a state court. It is possible that if McLeod had been executed, Great Britain would have broken off diplomatic relations, and war might have resulted. At any rate the American secretary of state was greatly disturbed by these possibilities.

Case of McLeod

At this point both nations turned once more to the methods of common sense. Daniel Webster, who became secretary of state of the United States in 1841, was extremely anxious to find a solution for this accumulation of grievances. In England, Peel's Government proved equally sincere in wanting a compromise, and Alexander Baring (Lord Ashburton), was commissioned to go to Washington to adjust these difficulties. He was a tried friend of the United States,

Webster-Ashburton negotiations

with an American wife, and was personally acquainted with Webster. The British envoy arrived in the United States in April, 1842, and soon had negotiations under way. Both Maine and Massachusetts proved obstreperous about the boundary settlement, and had to be given a voice in the proceedings.

*"Battle of  
Maps"*

Webster and Lord Ashburton easily agreed that the northeast boundary of the United States could be settled only by drawing a compromise line, and the negotiators consequently abandoned the hopeless effort to discover the boundary described in the Treaty of 1783. Webster very effectively used a map which Jared Sparks of Harvard College had recently discovered in Paris to convince Maine that she must recede from her extreme demands. On this map, thought to have been used by Franklin at Paris in 1783, a red line marked a boundary which virtually supported the British contention. Webster carefully concealed this map from Lord Ashburton. In the "Battle of the Maps," as this episode has been called, Webster did not know that another early map was in the possession of the British foreign office and was being carefully guarded from American eyes.

*Determining  
boundary*

By the Webster-Ashburton Treaty of August 9, 1842, a compromise line was drawn fixing the northeast boundary of the United States as it is today. The boundary followed the Netherlands award up the St. John and St. Francis Rivers to the outlet of Lake Pohenaganook, and then, varying from the award line, it followed a straight southwesterly line to a point on the northwest branch of the St. John more than ten miles distant from the main branch of the river, thence southerly by that branch to its source in the highlands of Metjarmette Portage. From this point the line ran down along the highlands to the head of Hall's Stream, and down this stream to its intersection with the old line of the forty-fifth parallel. Of the disputed territory the United States got 7,015 square miles and England 5,012. Webster estimated that the seven-twelfths awarded to the United States probably equalled four-fifths of the value of the entire strip in controversy. As a matter of fact, the award was 893 square miles less than what the United States might have had if the Senate had accepted the 1831 award of the King of the Netherlands. Maine kept the Aroostook valley, and received the southern part of the valley of the Upper St. John. It was agreed that timber could be floated down the St. John River by Americans on the same terms as applied to British citizens. To compensate Maine and Massachusetts, the United States government divided \$300,000 between them. Surveyors were set to work to draw the new international boundary, and it has since been marked with monuments. The American claim to the head of the Connecticut River was allowed to stand, as was also the American ownership of Rouses Point, and thus the international line was completed from Lake Huron to the Lake of the Woods.

The international boundary line ran down the Connecticut River

to the forty-fifth parallel, thence to the St. Lawrence River, and through the St. Lawrence and Great Lakes system to Lake Superior. From a point in Lake Superior it followed a complicated line through little lakes and rivers to the northwest corner of the Lake of the Woods, whence it was to proceed due west to the source of the Mississippi River. It was not known at the time the Treaty of 1783 was made that the Mississippi has its rise so far south of this line that it would be impossible to complete the boundary as stipulated in the treaty. The Treaty of Ghent provided for the appointment of two commissioners to run the boundary through the line of rivers and lakes to the northwest angle of the Lake of the Woods, and to agree upon a distribution of the islands within these international waterways. In 1818 the United States and Great Britain agreed to accept the forty-ninth parallel as the boundary line from the Lake of the Woods to the Rocky Mountains. The purchase by the United States of the vast Louisiana territory lying west of the Mississippi, in 1803, had made this settlement imperative. A number of details of the British North American boundary to the Rockies remained for settlement, and these were disposed of by the negotiations of 1842.

*Line to Rockies*

At the same time the difficulties arising from the rebellion of 1837 were settled. Great Britain offered her apologies for her violation of United States territory in the case of the sinking of the *Caroline*. Webster admitted that such a violation was permissible for reasons of self-defense, but denied that any necessity had existed in this case. Although Lord Ashburton insisted that a necessity did exist, he was ready to apologize. Fortunately for the United States government, McLeod was acquitted of the murder charge lodged against him in the New York courts. The American secretary of state used all his influence with New York to bring about McLeod's final discharge, and in order to prevent the recurrence of such incidents he secured an act of Congress providing that a foreigner on trial in a state court could be brought before a United States judge by *habeas corpus* proceedings, and dismissed if the court thought proper.

*Problems  
resulting from  
rebellion of  
1837*

The Treaty of 1842 also contained new provisions for the extradition of offenders against the law, but unfortunately these were not inclusive enough to catch the scores of American swindlers and embezzlers who continued to find safety in British North America from the wrath of their victims. An effort to reach an understanding concerning the suppression of the slave trade was not successful. The Webster-Ashburton Treaty was criticized in the United States, Great Britain, and British North America. As a matter of fact, it is the judgment of history that the treaty was an honorable and, on the whole, satisfactory settlement of issues which might easily have led to a rupture of friendly relations.

*Other provisions  
of treaty*

The problem of extending the American boundary from the Rocky Mountains to the Pacific Ocean still remained to be solved. It was a problem in which the individual British North American

*Oregon  
controversy*



provinces were not directly interested, for the entire West was still the hunting preserve of the Hudson's Bay Company. The Treaty of 1818, which settled the boundary, except for a few minor details, as far west as the Rocky Mountains, had specifically postponed the fixing of the boundary in the region beyond by providing for the joint occupation of the "Oregon country," for ten years, by the United States and Great Britain. The region in question once included everything west of the Rocky Mountains, from  $42^{\circ}$  to  $54^{\circ} 40'$ , or from the Spanish possessions on the Pacific to the Russian colony in Alaska. Spain, however, had withdrawn her claim to the northwest coast of North America in the Florida Treaty with the United States in 1819; Russia by the Treaty of 1824 agreed to withdraw to the north of  $54^{\circ} 40'$ . England and the United States, by virtue of discovery, explorations, and trading expeditions, continued to claim jurisdiction over the Oregon country.

*Early attempts  
to determine  
Oregon boundary*

All previous efforts to arrive at a settlement involving a satisfactory partition of the Oregon country had failed, because the United States insisted that the international boundary should follow the forty-ninth parallel to the Pacific coast, while Great Britain contended for the Columbia River. This failure to reach an agreement led to the indefinite extension of the joint occupation arrangement in 1828. In the race for Oregon, however, the advantage was clearly with the United States. British interest in the region was largely confined to the activities of the fur traders of the Hudson's Bay Company, while in the 1830's and 1840's thousands of Americans migrated over the Oregon Trail to establish permanent agricultural settlements on the new frontier. This actual occupation of large sections of the area in controversy served greatly to strengthen the title of the United States to the Oregon country.

*Settlement of  
1846*

When England continued to reject the  $49^{\circ}$  line, the United States began to insist on possession of all of the Pacific coast, as far north as  $54^{\circ} 40'$ . "The whole of Oregon," " $54^{\circ} 40'$  or fight," and the "immediate reoccupation of Oregon" were slogans with which politicians in the United States deluded the voters on election day, and these were the election cries of the Democratic party in 1844, when its candidate, James K. Polk, was swept into the presidency. During Polk's administration notice was given of the abrogation of the joint occupation agreement, and Congress was asked virtually to incorporate Oregon as part of the United States. England, anxious to preserve peace, and probably convinced that President Polk's insistence on the extreme American claims was largely for home consumption, now renewed the suggestion that the forty-ninth parallel become the international boundary to the Pacific. Polk, after sounding out the United States Senate beforehand, accepted the proposal, so that in 1846 the boundary line as established east of the Rockies was extended through the region west of the mountains to the ocean. When it reached the water's edge, the line was deflected southward,



so as to give Vancouver Island to the British. The Treaty of 1846 guaranteed the free navigation of the Columbia River, and recognized certain property rights of the Hudson's Bay Company and of the Puget Sound Agricultural Company.

Very soon a new dispute arose as to the ownership of the islands in the channel separating the mainland from Vancouver Island, and running southward to the Pacific. Any one of three channels seemed possible, according to the treaty provisions of 1846. More specifically, a sharp dispute arose over the ownership of San Juan Island. Proposals to arbitrate proved unacceptable, and the controversy was not settled until 1871, when an award by the German Emperor, to whom the dispute had finally been referred, decided in favor of the United States, by accepting the channel known as Haro Strait as the dividing-line between American and British jurisdiction. In 1908 a treaty between the United States and Great Britain provided for the final demarcation of the Canadian-United States boundary. This task has now been completed.

*San Juan  
Island*

The question of the rights of the United States in the fisheries of the British North American provinces led to disputes which furnished the basis of negotiations extending over 125 years. The American commissioners who made the peace treaty after the close of the Revolution had been specifically instructed by the Continental Congress in no case to give up the rights of Americans to fish in the North Atlantic waters off Newfoundland and in the Gulf of St. Lawrence. This issue was of special importance to the New England states, and John Adams, the representative of this section on the peace commission, worked hard and successfully to get a fisheries provision into the treaty. The Treaty of 1783 guaranteed to United States fishermen equal rights with the British in the North Atlantic, and these fishing rights were not limited to any special distance from the shore line. The only limitation was one which prohibited the drying and curing of fish on the Newfoundland coast. On the other hand, the treaty not only granted fishing rights on the Newfoundland Grand Banks, but also gave Americans the "liberty" to enjoy the inshore fishing privileges, such as getting water, and bait, and drying their catch on shore.

*Atlantic  
fisheries*

The War of 1812 gave England the opportunity to reopen this question, and in spite of the insistence of John Quincy Adams, who was a member of the peace commission of 1814 as his father had been in 1783, the question of American fishing rights was not settled at Ghent, but was left for later negotiations. The next four years were years of friction, marked by some collisions between United States fishermen and the authorities of British North America. Finally, in 1818, a convention was agreed upon between England and the United States, which it was hoped, would settle the fisheries dispute. In substance the new convention acknowledged the rights of Americans off the Newfoundland coast, noted in the Treaty of 1783, but the

*Fisheries  
convention of  
1818*

"liberties" of that treaty were declared void, and a new arrangement was entered into giving the United States fishing rights on the southern, western, and northern coasts of Newfoundland, and the right to dry and cure fish on the Newfoundland and Labrador shores so long as these shores remained unsettled. The harbors in settled portions of the coast could be used by American fishermen "for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever." These rights were subject to such restrictions as seemed necessary to "prevent their taking, drying, or curing fish" in these parts, "or in any other manner whatever abusing the privileges hereby reserved to them." In other words, wherever the coast-line contained settlements, it was agreed that the fishing interests must first come to an agreement with the settlers and owners. The United States, in turn, renounced all its rights to fish at other points, or within three miles of any coast, bay, or indentation not included in the limits mentioned above.

*Controversial  
questions*

It was difficult to draw the three-mile line accurately along a coast so ragged as the eastern coast of British North America. Here lay the cause for a century of disputes. England insisted that bays whose mouths exceeded six miles were closed waters, while the United States contended for the right to fish in bays much smaller. Moreover, there was nothing in the treaty positively granting the right to buy bait or to use harbor facilities for the reloading of fishing vessels. Some of the port regulations of the British provinces became increasingly burdensome as the rivalry between American and British interests increased.

*Three-mile  
limit*

There was no serious trouble, however, until 1836, when the province of Nova Scotia ordered the seizure and search of vessels within three miles of her coast-line. Other provinces passed similar laws, and a violent controversy broke out over the proper extent of the three-mile limit, and whether it should be drawn from headland to headland, or should follow the sinuosities of the coast. The New England fishing interests brought pressure to bear on the United States government to defend their rights against what they considered the unjustified legislation of the British-American provinces. It happened that practically all mackerel suddenly left New England for British North American waters, and this fact undoubtedly added zest to the American contention.

*Question still  
unsettled by  
1867*

It is unnecessary to follow in detail the long story of diplomatic negotiations between the United States and Great Britain over this difficult problem, or the many incidents of friction and clash between American fishermen and the authorities of British North America. The liberal spirit of the Elgin Reciprocity Treaty of 1854 provided some relief, but its abrogation in 1866 reopened the whole fisheries controversy. After 1867 it became one of the great problems of the Dominion government, and its later phases will be discussed in

another chapter. It is sufficient to point out here that the fisheries disputes were not finally disposed of until 1910.

One of the most worthy diplomatic achievements of the period since 1815 was the Rush-Bagot Agreement of 1817. It inaugurated an era of unbroken peace along 3000 miles of undefended frontier, and after more than a century it stands out in these troublous days since the World War of 1914-1918 as a glorious lesson in the practical benefits of real disarmament as a means of preventing war. That it was concluded by the United States and British governments within three years after the close of the War of 1812, when the smell of powder had hardly disappeared, is an indication of the practical common sense of these two English-speaking peoples.

*Rush-Bagot  
Agreement of  
1817*

In 1816 John Quincy Adams, as American minister to London, opened the discussion of the limitation of armaments on the Great Lakes. President Madison was keenly interested in avoiding the expense and the danger of a race for armaments along the Canadian frontier, and Lord Castlereagh proved friendly to the American proposals. Accordingly, in 1817 an agreement was signed by Richard Rush, who was acting as secretary of state in the new Monroe administration pending the return of John Quincy Adams from Europe, and Charles Bagot, the British minister in Washington. Although the agreement was not a treaty, nevertheless President Monroe submitted it to the United States Senate for its formal approval.

*Negotiations*

The Rush-Bagot Convention of 1817 limited the total number of war vessels on the Great Lakes to four; all other warships on the lakes were to be promptly dismantled, and no others were to be constructed. Each nation was permitted to maintain one ship on Lake Erie, two on the Upper Lakes, and one on Lake Champlain. No vessel was to exceed one hundred tons burden, and its armament was limited to one eighteen-pound cannon. It is clear that ships of this character could be useful only for combatting smugglers and for the enforcement of the ordinary rules of navigation and fishing on the lakes. Since 1817 Canada and Great Britain have occasionally permitted the United States to have larger ships on the lakes for use as training vessels, but this apparent deviation from the terms of the agreement rests upon permission specifically secured in advance. In July, 1922, the Canadian prime minister, Mackenzie King, journeyed to Washington for a conference with the American secretary of state. One of the purposes of the visit was to convert the Rush-Bagot agreement into a more formal and permanent treaty.

*Provisions and  
importance*

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## CHAPTER XV

### THE FAILURE OF THE ACT OF UNION IN THE CANADAS

THE Lafontaine-Baldwin ministry—the “Great Ministry”—which sponsored the constructive legislation already discussed and secured the acceptance of responsible government as a practical working principle at the time of the “rebellion losses” bill, continued in office until 1851. By the end of its administration it had reformed the system of municipal government, secured important educational and judicial improvements, assumed control of the postal service, abolished the law of primogeniture in Canada West, sponsored the first provincial exhibit of Canadian agricultural and industrial products at Montreal, developed the Canadian canal system, and laid the foundations for the great era of railroad-building. Two major questions only baffled this powerful government coalition, namely, the question of clergy reserves originating in the Constitutional Act of 1791, and the problem of seigniorial tenure, which still survived in Lower Canada.

Failure to settle these problems was due largely to the rise of internal party friction, and to the slow disintegration of the Reform or Liberal Party. One of the new political factions which was becoming important, was known as the “Clear Grits”—“all sand and no dirt, clear grit all the way through.” This group, which cherished radical political ideas, favored popular election of all government officials by secret ballot and universal manhood suffrage, biennial parliaments, free trade, direct taxation, and the abolition of all classes enjoying special privileges of any kind. In matters of foreign relations they felt that only the determination of war and peace, and even “that under certain restrictions,” should be left to England. The “Clear Grits” were powerful only in Canada West, where George Brown, of the *Toronto Globe* was their great leader. Brown, who had once denounced the “Grits” as a crowd of radicals, annexationists, and disappointed office-seekers, cast in his lot with the party in the fall of 1850, and at once plunged into the battle for the secularization of the clergy reserves and the elimination of Roman Catholic influence from Canadian politics. His newspaper, the *Globe*, became the most powerful political organ in Canada, and was especially influential among the large Scotch element in Canada West.

Another group which split from the Reform Party was “La Partie Rouge,” composed of ardent young French Canadians under the leadership of Papineau. Their program, more radical in many

respects than that of the "Clear Grits," included the repeal of the Union Act, the establishment of a republican form of government, and, for the extremists, annexation to the United States. Many of these radicals in spite of their membership in the Catholic Church denounced the system of tithing and clerical intervention in Lower Canadian political affairs. On the whole, however, this French-Canadian party could have little in common with the radicals of Canada West, as long as the latter were led by such a violent anti-French and anti-Catholic leader as the Scotch editor of the *Toronto Globe*.

*Party  
realignments*

The Lafontaine-Baldwin ministry was much too moderate in its point of view on such questions as the clergy reserves and radical political reforms to satisfy either of these more extreme groups. On the other hand, it was much too radical to satisfy either the moderate conservatives or the handful of "die-hard" Tories, led by Allan MacNab, who had condoned such violent tactics at the time of the "rebellion losses" bill of 1849 in their opposition to responsible government. The time was ripe for a realignment of parties, and all that was needed was a leader astute enough to weld the moderates of all parties into a new Liberal-Conservative coalition.

*Retirement of  
Baldwin and  
Lafontaine*

In 1851 Robert Baldwin, finding the party moving along the path of reform more rapidly than he could follow, refused to coöperate any longer, and in the next general election he was defeated in his old constituency and retired to private life. His colleague, Lafontaine, took a similar course largely because he found himself out of step with the reformers of Canada West on the question of the clergy reserves. In 1853 he became chief justice of Lower Canada and in that high office served with distinction until 1864. It should be added that both Baldwin and Lafontaine were opposed to the secularization of the clergy reserves. The former was a devout Anglican and the latter an equally devout Roman Catholic. With these personal feelings they undoubtedly felt that they ought not to face the issue to which they could not bring more independence of attitude.

*"Double  
Majority"*

Obviously, under these conditions of political disintegration, it became difficult on many issues to get the support of both the French-Canadian Liberals and those of Upper Canada, or Canada West. Nevertheless, since the fall of the Draper Conservative Government it had become the accepted principle of Canadian politics that all important measures must receive the support of a majority of the representatives of the party in Parliament from both divisions of the province. This was especially true of bills affecting one division of the united province more specifically than the other. This principle of the "double majority" quite obviously was established to avoid friction between the two divisions, and to make it difficult to enact purely sectional legislation. With the rapid disintegration of political parties, and the racial and religious differences between Upper- and Lower-Canadian Liberals, it became increasingly difficult for the

Government in power to follow this principle. The result was either friction or political stagnation.

X This situation can be more specifically illustrated by considering the fortunes of the clergy reserves and the issue of seigniorial tenure during the life of the "Great Ministry." Lafontaine himself would probably have preferred to let the clergy reserves rest in the lap of the British Government to which they had been transferred in 1840; but his followers in Canada West insisted that he take action to compel England to turn the question over to Canada for settlement. The Protestant dissenters in this section, who did not belong to the Established Church, and were now greatly in the majority, demanded that the Church lands be sold and the proceeds be used for internal improvements and for the development of education. Various makeshift settlements, tried in earlier years, were now denounced as unsatisfactory. The ministry itself was badly divided in the debate over this question. The same confusion existed in the matter of settling the seigniorial rights in Canada East. Lafontaine did not want completely to abolish the dues incident to seigniorial tenure, even though some raised loud protests against the payment of taxes which hindered the free transfer of land, while others advocated the exchange of feudal rights for freehold rights, and the commutation of the old seigniorial dues into a fixed money payment.

*Clergy reserves  
and seigniorial  
tenure*

In the fall of 1851 the "Great Ministry" was superseded by the Hincks-Morin Government. The new ministry managed to survive its first general election. Much progress was made in the promotion of railroads, for which Hincks was chiefly responsible, and some other important measures were passed, but in general the Government steadily lost ground. Hincks was attacked by George Brown for catering too much to the French element in his coalition. Although pledged to secularize the clergy reserves, this ministry found it desirable to leave the question undisturbed as their predecessors had done. Conservatives and Radicals of Canada West therefore combined to oppose the Government for its dilatory tactics. Although in other respects the session of 1852-1853 had been quite fruitful in legislative enactments, such as extension of the franchise, and better trade relations with the United States, the Hincks-Morin Government was defeated in the election of 1854. Both the "Clear Grits" and the Tories fought the Government candidates. The membership of the new assembly, which during the preceding year had been increased from 84 to 130, was divided between "Clear Grits," "Rouges," Conservatives under MacNab, and the Moderate-Reform group of the Government. Lacking a majority, the Hincks-Morin ministry resigned, and was succeeded by a new Liberal-Conservative alliance.

*Hincks-Morin  
Government*

The masterbuilder of this new coalition was the young Scotch-Canadian, John A. Macdonald. In Parliament since 1844, he had gradually developed those arts of the politician which made him the most successful conciliator, manager of men, and opportunist in

*Macdonald  
and Liberal-  
Conservative  
alliance*



Canadian political life. He had long foreseen the possibilities of building a new moderate Liberal-Conservative group from among the remnants of the old Conservatives and the fragments of the Reform Party. Macdonald now undertook to build a new party which was to contain old Conservatives from Canada West, Moderate Reformers from the same province who had been followers of Baldwin and Hincks, and the Liberals from Canada East, led by Morin, who being suspicious of the more radical reformers in the other province, were therefore willing to join the new party. This Liberal-Conservative Party dominated politics for many years. Though the new ministry was under the titular leadership of MacNab and Morin, this fact did not mean that it followed the extreme Tory principles of MacNab. Behind the scenes was the master hand of Macdonald, who resolved to carry out much of the program which the preceding ministry had failed to accomplish. By 1856 MacNab was forced out entirely, and Macdonald became the real head of the Government. In 1854 Lord Elgin was succeeded by Sir Edmund Head, and thus passed the "heroic days of the governor-generalship." From that time on, Canada's own leaders were the responsible men in determining the course of public events, and governors became more or less formal accessories.

*"Dishing  
Whigs" on  
clergy reserves*

Macdonald, convinced that it would be excellent strategy to "dish the Whigs" by stealing their issues and solving them, promptly disposed of the vexing clergy reserves question. England having yielded her control of the matter to Canada, a law was passed providing that all money thenceforth derived from the clergy reserves should constitute a separate fund, to be divided in proportion to population among the counties and cities of the provinces from which the money came, and to be used for secular purposes. What amounted to a pension for the clergy dependent on the reserves at the time of the settlement was made a first charge on the fund.

*Extinction of  
seigniorial  
rights*

Seigniorial tenure was abolished at the same time (1854), and all feudal rights and obligations in United Canada were extinguished. A commission was appointed to study the claims of each parish and seignior, to prepare a schedule for the commutation of feudal dues into fixed cash rents, and to arbitrate disputes which might arise as a result of these adjustments. A special seigniorial court, composed of fifteen judges, passed on the legality of the claims advanced by the seigniors. The adjustment was definitely completed in 1859; but to this day there are remnants of the feudal ceremonies of old Quebec, and some of the old seigniorial families still enjoy a special social position in their communities.

*Gradual  
breakdown  
of party  
government*

We need not follow here in detail all the cross-currents of politics in United Canada from 1854 to 1864. The period is significant because it marks the gradual breakdown of party government and, with it, the collapse of the Union policy. From 1854 to 1864 no less than ten ministries were in control of Canadian affairs, some of them, to be



sure, differing only slightly in composition from their predecessors. Old leaders like MacNab and Taché gave way to new leaders like Macdonald and Georges E. Cartier. The problem of French nationality remained a great stumbling-block to the practical politician, and "double majorities" became more difficult to manage.

The year 1858 produced the notorious "double shuffle." Taking advantage of a law providing that a minister who resigned and within a month accepted another portfolio did not thereby vacate his seat, a Macdonald Government avoided an appeal to the electorate by shuffling the offices all around, and then reshuffling the same ministers into their old places, all within twenty-four hours.

*"Double Shuffle"*

Bad times, following a severe panic in 1857 which was the result of over-expansion and extraordinarily heavy expenditures on railways from 1854 to 1857, added to the distress of the politicians and the people, and left a deficit in the treasury. Instead of the general elections clearing the atmosphere, they served further to complicate the issues and to stir up antagonism between Canada East and Canada West. By 1857 Brown and his "Clear Grits" were fighting to abolish denominational or "separate" schools in Canada, a demand which was especially obnoxious to the French Catholics and which would have proved disastrous for the English minority in French Canada. Brown won Canada West on this issue, but Cartier mobilized the French Canadians against this program of secularization and carried all the seats in Canada East. It became increasingly difficult to build a Government majority out of such conflicting groups.

*Sectional antagonisms*

Another demand which created an impassable barrier between the people of the two divisions of United Canada was the demand for representation by population. In 1841 the population of Lower Canada had exceeded that of Upper Canada by several hundred thousand. The equal distribution of representatives in the assembly, provided by the Union Act, had thus proved a decided advantage for Upper Canada, which was greatly over-represented. By 1861 the situation was reversed, and the population of Canada West was now some 300,000 in excess of that of the older province. In the 1850's a great agitation arose to change the basis of representation and to end the domination of the English element by an over-represented French minority. The demand for "Rep. by Pop." was vigorously opposed by the French Canadians, who regarded the proposal as nothing less than an attempt to destroy French institutions and French rights in Canada. Here was another situation which made further coöperation between the leaders of the two divisions of the province increasingly difficult.

*"Rep. by Pop."*

Early in 1858 the Macdonald-Cartier Government, having a majority in the assembly, but only a minority of the seats from Canada West, suddenly discarded the "double-majority" practice, and later perpetrated the "double shuffle" described above—a procedure which Cartier justified as meeting the requirements of the law,

*Breakdown of "Double Majority" Principle*

and at the same time preventing unnecessary elections. Macdonald continued to pass measures affecting Canada West by majorities obtained in the other division of the province. The demand for representation by population steadily increased in English Canada, and it spread from Brown and his "Grits" to some of Macdonald's own followers. As the agitation grew, religious and racial differences became aggravated and there were many suggestions for a separation of the provinces or for some realignment on a federal basis. Canadian politics during these years reached a new level of violence and intrigue.

*Governmental  
instability*

The elections of 1861 yielded a majority for the Government in French Canada, and a decided minority in the other division. Within a year the Government was defeated by French-Canadian votes on a militia bill, proposed at the time of strained relations between the United States and Great Britain over the *Trent* affair discussed below. On this particular issue the members from Canada West had voted to sustain the Government. The Cartier-Macdonald Government fell, and was superseded by the John Sandfield Macdonald-Sicotte ministry, which was known to oppose representation by population, and to favor separate schools and a return to the "double-majority" principle. This Government, in turn, was defeated by a vote of want of confidence directed by John A. Macdonald.

*Deadlock*

Parties were now very evenly balanced, and parliamentary majorities were extremely difficult to maintain. In two years no less than four ministries tried to hold the reins of power. The general elections of 1863 resulted in a virtual deadlock. The "double-majority" principle was more difficult to observe than ever, and responsible parliamentary government was practically impossible. The Union Act had resulted in a governmental deadlock. In this hour of crisis, men of vision and unselfish statesmanship were at hand to work out a constructive solution for the political and constitutional perplexities of United Canada.

*Changes in  
Union Act  
before 1860*

Before discussing the various forces leading to confederation, it will be necessary to summarize briefly the chief modifications of the Union Act which had occurred by 1860. By that year, nearly one-half of the original clauses of the Union Act had been discarded, either legally or as a matter of practice. By 1850 the Canadian government obtained the right to make changes in the civil list which had been guaranteed in 1841. The section providing that English should be the sole official language of the Union Parliament had been repealed, and control of the post-office, and of currency and banking, had been assumed by the Canadian government. As has been shown, the right to settle the clergy reserves question, one of the fundamental stipulations of the Act of 1791, was finally conceded to the Union Parliament. In 1855 Canada undertook to pay for her own militia establishment. Canada's right to regulate immigration was gradually being established, and in 1859 Great Britain recognized the right of the

province to raise its own revenues, even when this involved a protective tax on British imports. In that year, when Alexander Galt, the Canadian minister of finance, increased the duties on manufactured articles, the manufacturing interests of Sheffield, England, protested to the Duke of Newcastle, then secretary of state for the colonies, against this tariff legislation. Galt replied in a notable letter which contains really the first clear-cut statement by the government of a growing spirit of autonomy. Although promising the greatest respect and consideration for matters of imperial policy, the Canadian minister of finance insisted that "the government of Canada acting for its legislature and people, cannot, through those feelings of deference which they owe to the imperial authorities, in any manner waive or diminish the right of the people of Canada to decide for themselves both as to the mode and extent to which taxation shall be imposed." Furthermore, Galt pointed out that "in the imposition of taxation it is so plainly necessary that the administration and the people should be in accord, that the former cannot admit responsibility or acquire approval beyond that of the local legislature." Macdonald supported this vigorous assertion of Canadian autonomy, and Newcastle gracefully yielded.

In 1853 the membership of the assembly of United Canada was increased to 130, and a new distribution of seats was arranged. This did not, however, disturb the principle of an equal total representation from each division of the province. The law of 1858 fixed a property qualification for the privilege of voting, and in the following year the salary of members of the assembly was raised to six dollars a day, with a mileage allowance for travel. The powers and importance of the Upper House or legislative council steadily declined after the establishment of cabinet government. Attendance dropped off, and many leaders of Canadian opinion, including Lord Elgin, recommended that the Upper House be made elective like the Lower House, but with higher qualifications for membership. In 1856 the size of the legislative council was reduced from sixty to forty-eight members, equally divided between the two divisions. At the same time the Upper House was made an elective body, the members to be chosen by a plan of rotation for eight-year terms. The property qualification for membership was raised to £2000. These changes, however, accomplished very little by way of reviving the importance of the Upper Chamber.

*Changes in  
legislature*

During the 1840's sweeping changes were made in the judicial department, and many of these reforms at last corrected the abuses against which the rebels of 1837 had protested so strongly. The principle was established that judges should hold office during good behavior, and not during the pleasure of the government, and that they could be removed only on joint address of the two houses of the Union Parliament. At the same time judges were excluded from the Upper House and from the executive council. The beginnings of con-

*Judicial  
changes*

stitutional right, as against constitutional law, appeared in that the British Parliament refrained from passing laws applicable to the provinces, and the British cabinets exercised less drastic control over provincial legislation with a more restricted use of advice to the Crown to disallow provincial acts. Negotiations between England and Canada were often carried on directly between the two Governments and without the services of the governor-general as intermediary.

All these changes gave evidence of the fact that constitutional progress in the direction of greater autonomy was the inevitable result of the introduction of responsible government. In this evolution toward colonial independence the Canadian provinces were leading the Empire. At the same time they continued to function as part of a larger imperial unit. Without these constitutional developments the building of a great, federated Canadian Dominion would have been impossible.

Evolution of  
colonial  
independence

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## CHAPTER XVI

### BRITISH NORTH AMERICA AND THE AMERICAN CIVIL WAR

MUCH of the history of British North America has been determined by fear of the United States or by the example of this larger neighbor to the south. Inevitably the British North American provinces became involved in all controversies between the United States and Great Britain. If such controversies should ever again lead to armed hostilities, Canada would probably become the battle-ground in a war between these great English-speaking peoples. The movement for confederation in British North America was seriously affected by events in the United States during the Civil War period. These incidents were not the sole, nor the most important, cause of confederation, but they were of so serious a nature as to compel both Canadians and Britishers to reflect long and carefully upon the many problems raised by the more or less artificial three-thousand-mile frontier dividing the British dependencies from the American republic.

*Neighbor  
nations*

At the outbreak of the American Civil War the sympathies of the British North Americans were overwhelmingly with the North. The vagaries and technicalities of American constitutional lawyers, both North and South, discoursing at great length concerning the legal rights of the states to secede from the Union, made little impression on the people in British North America. For them, human slavery was the real issue of the conflict. *Uncle Tom's Cabin*, the great propagandist novel of the northern abolitionists, had had a wide circulation in the provinces, several special Canadian editions had been prepared, and the book was translated into French for the people of Quebec. Trade and family connections between British North America and the northern states provided another bond of sympathy.

*British  
North America  
and slavery*

Lincoln's election in 1860 was viewed with general satisfaction in United Canada, and papers such as George Brown's powerful *Toronto Globe* adopted a strong pro-Northern tone in the early months of 1861. As the war progressed, the United States bought huge supplies of grain and cattle in British North America and the resultant rise in prices created a material prosperity which further strengthened the bond between the provinces and the anti-slavery section of the United States.

*Pro-Northern  
sympathies*

Canada West had first-hand knowledge of the evils and inhumanities of the slave system, for, since early in the nineteenth century she had been the promised land and the haven of refuge which all

*Canada and  
"Underground  
Railway"*

runaway negroes strove to reach. Organizations of abolitionists had developed in the United States, many of their members pious church people, who made it their function to help negro slaves to escape from bondage into the land of freedom to the north. Fugitives were passed from one station to another on what was known as the "Underground Railway," until they were delivered safely on the soil of British North America.

*Extinction of  
slavery in  
British  
North American  
provinces*

The first Parliament of Upper Canada prohibited the importation of slaves into the province, and as early as September 28, 1793, provided a system of gradual emancipation for those already in the country. Although slavery was not formally abolished in Lower Canada until the passage of the Imperial Act of 1833, which fixed August 1, 1834, as the date for the emancipation of all slaves in all the British colonies, the slave system had been ended much earlier by a decision of the Court of King's Bench. In the maritime regions climate and soil conditions made the system economically impossible.

*Canada's negro  
population*

For years the Canadian provinces had been the destination of the "Underground Railway." In the decade from 1850 to 1860, when the negro population in the United States was especially disturbed by the enactment of a more stringent fugitive slave law, it was estimated that from 15,000 to 20,000 negroes entered United Canada, swelling its total black population to nearly 60,000. Most of these negroes settled along the Detroit River and Lake St. Clair, in the modern counties of Essex and Kent of the province of Ontario. It was along this border that some of the most dramatic incidents were enacted between slave-catchers and negro fugitives in sight of the haven of freedom. Trouble sometimes developed in the Canadian courts when owners tried to have their fugitive slaves returned to them, usually on the plea that they had committed some felony during the escape. At least one of these cases, that of a Missouri negro, Anderson, in 1860 was dragged into Canadian politics, because of an attempt on the part of a British court to exercise jurisdiction in what the Canadians considered a matter of purely local concern. The largest negro refugee colony in Canada West was the Buxton settlement, consisting of some 9000 acres south of Chatham. It is interesting to note that Chatham was selected by John Brown, the fanatical abolitionist who later staged the notorious raid on Harper's Ferry, as the town in which he held a secret convention in May, 1858, to perfect his plans for the forcible freeing of the slaves of the United States.

*Employment of  
negroes*

On arriving in Canada the negroes frequently found employment on the railroads which were being developed very rapidly by the middle of the century. In 1851, 2,500 negroes found work on the Canada Railway at ten dollars a month pay and board; other companies frequently advertised for negro workmen. Some negroes found employment as farmers and truck-gardeners. A pioneer region like that of western Ontario had little use for barbers, bootblacks, or table-

waiters. At the close of the Civil War many Canadian negroes returned to visit their old homes in the South.

The attitude of the Canadian authorities toward the escaped negro was one of welcome and protection. The negro created no special problem in western Canada, either for the provincial or for the local governments. Negroes were urged to take up government lands—they could buy fifty-acre farms at two dollars an acre, paying for them over a ten-year period—and no discrimination was made between black and white purchasers. Fugitive Aid Societies, some Canadian, and some with headquarters in the United States, continued to look after the fugitives during the early stages of their settlement in Canada. Negroes were admitted to citizenship by the provinces on an equal basis with other immigrants, and could vote whenever they could meet the franchise qualifications. Some private schools were opened in the negro sections by religious bodies. Under the Canadian law, negro parents were permitted to send their children to the common schools, or to have separate schools maintained from their share of the school funds. Separate schools were established where prejudice was strong, usually nearest the American border, and it was also in this vicinity that discriminations were sometimes made against negroes in the taverns, on boats, and on juries. The Anti-Slavery Society of Canada, the counterpart of William Lloyd Garrison's American Anti-Slavery Society in the United States, was organized in February, 1851, and counted among its most influential leaders men like Dr. Willis, the Presbyterian principal of Knox College, William McClure, a Methodist minister of some prominence, George Brown of the *Globe*, and Oliver Mowat, later prime minister of the province of Ontario.

*Attitude  
toward negro*

Within a few months after the outbreak of war between the United States and the Southern Confederacy, Canada's attitude changed from one of friendliness for the North to one of suspicion, fear, and anger. This was due largely to the strained relations which were developing between the United States and Great Britain out of the latter's attitude and conduct toward the Southern rebels. Into these antagonisms British North America was inevitably drawn.

*Change in  
attitude toward  
United States*

Strained relations began when England issued a proclamation of neutrality—an action which involved the recognition of the South as a government capable of carrying on legal warfare—and accorded to the South the rights of a belligerent power in English ports. President Lincoln had repeatedly insisted that there was no war, but only an "insurrection" of disloyal subjects. The sympathies of the British aristocracy, manufacturers, and governing classes were clearly with the South, although the vulnerability of British North America to attack from the United States undoubtedly served to curb these pro-Southern sentiments somewhat. England was dependent on the cotton supply of the Confederacy for the maintenance of her great textile factories, and it was not long before serious controversies

*Anglo-American  
controversies  
during  
Civil War*



arose over the naval blockade which Lincoln tried to impose on all Southern ports.

*Trent affair*

In November, 1861, a United States warship stopped a British mail steamer, the *Trent*, on the high seas, and in clear violation of international law took off two Confederate commissioners who were on board, en route from Cuba to England and France. Great Britain at once demanded the release of the prisoners and a disavowal of the act, and dispatched troops to Canada. Canadians were in consternation as they contemplated the results of a possible rupture of Anglo-American relations; steps were taken to call out the Canadian militia. The tension was temporarily relieved when the Confederate prisoners were released and the United States secretary of state penned what amounted to an apology for the action of the American naval commander—a dispatch which was written, as Professor Dunning has put it, “with one eye on the British fleet, the other on the Northern people.” The services of President Lincoln, Queen Victoria, and Prince Albert, the royal consort, in overriding the extremists and avoiding a terrible tragedy over the *Trent* affair should never be forgotten. It was a fine bit of irony that Secretary of State Seward actually gave permission to British troops to land in Maine and proceed to their Canadian destination through United States territory because they had arrived too late to pass through the frozen St. Lawrence River.

*Jingoism*

Another cause of irritation to the people of British North America was the jingoistic attitude of some of the United States newspapers. A number of ardent champions of the anti-slavery cause in the United States shrank in horror from the possibilities of war with their Southern brethren. Some advised a policy of non-resistance toward the Secessionists, while others preferred the familiar device of starting trouble with some foreign power in order to heal the internal sectional wounds by a glorious appeal to a common patriotism. During the presidential campaign of 1860 William H. Seward, later secretary of state under Lincoln, had publicly advocated the annexation of Canada to offset such losses to the Union as might result from the secession of the South, and Lord Lyons, the British Ambassador at Washington, was sufficiently alarmed by these statements to make them the subject of a special communication to Sir Edmund Head, governor-general of Canada. As the first member of his cabinet, Seward had also advised President Lincoln to adopt a vigorous, not to say provocative, foreign policy, against England, France, and other countries, as a means of reuniting the North and South.

*American newspapers*

Early in 1861 so influential a paper as the New York *Herald* was frankly discussing the possibility of setting up two American confederacies, the Southern to expand to the south, and the Northern to round out its territory by the annexation of Canada. “The Canadians have long been panting for more freedom than they can enjoy under British rule,” so ran the argument in one of the most stupid *Herald*



editorials. Other papers in New York City, Utica, Buffalo, and elsewhere repeated these sentiments. Blustering bravado of this kind only provoked bitter retorts from the Canadian press, even from that portion which had originally been most friendly to the Washington government.

Another serious difficulty arose between the United States and Canada from the presence of a large and active group of Confederate refugees, who found security on Canadian soil, and used that security to launch intrigues and foolhardy attacks upon Northern border-towns. It was extremely irritating to the United States that, by 1863, some of these Confederate refugees were actually being welcomed and dined by a small pro-Southern group in Toronto and Montreal.

*Confederate  
refugees in  
Canada*

Around the person of Jacob Thompson, who had served in President Buchanan's cabinet, a Confederate secret service and propaganda organization was built up; Thompson and his colleagues financed various foolhardy ventures, such as the burning of ships on the Great Lakes, and on the Mississippi and Ohio Rivers. In September, 1864, Confederate refugees seized a steamer running on Lake Erie, planning to release the Confederate prisoners on Johnson's Island, near Sandusky, Ohio, and to raid various lake cities. The expedition was a complete fiasco. A month later several dozen Confederate ex-soldiers raided the town of St. Albans, Vermont, plundered three banks, killed a cashier, and carried off much loot. A Canadian judge refused, on technical grounds, to extradite the prisoners to the United States for trial, while in Montreal several prisoners were freed on the ground that they were acting under the orders of their government and were entitled to the status of belligerents. The closing months of 1864 witnessed much excitement in Detroit and Chicago; it was rumored that a great plot had been formed to free the prisoners near Chicago and to stage great demonstrations on the day President Lincoln was up for re-election. At least \$75,000 was spent in organizing peace meetings in Illinois.

*Border outrages*

It is needless to discuss these absurd ventures in greater detail. Their psychological effect upon both the American people and the British North Americans is evident. The border was kept in a constant state of excitement, and friendly relations between the United States and British North America were difficult to maintain. The enlistment of some 40,000 Canadians in the Union armies did little to relieve the situation.

*Effects*

It may be added that the governments in British North America maintained a policy of scrupulous neutrality throughout the war, and transmitted confidential information of Confederate plots to the American government through the British minister at Washington. The Canadian authorities repeatedly refused to sell arms and munitions to Northern states such as Illinois, Ohio, Massachusetts, and New York, which tried to buy supplies directly from the government. Thompson, the head of the Confederate agents in Canada, personally

*Neutrality of  
governments  
of British  
North America*

testified that "the bane and curse of carrying out anything in this country is the surveillance under which we act." On the other hand, some recruiting officers from the Northern states developed a system of "crimping" by which they secured men in Canada for military service through methods that were underhand and illegal. The bounties offered for recruits by some Northern states attracted many Canadians across the border, and at one period of the war the three leading Roman Catholic bishops of Canada East issued letters to their parish clergy, urging them to warn their flocks against enlisting in the United States army.

*Anglo-American  
relations at  
close of war*

The close of the Civil War left Anglo-American affairs in a critical state. Most Northerners were convinced that Great Britain had pursued a pro-Southern policy, and that the war had been unnecessarily prolonged by the hope of the South to secure British recognition and support. The most serious outstanding dispute involved the building of Confederate cruisers in British navy yards during the war. Some of these ships, notably the *Alabama* and the *Florida*, had played havoc with Northern shipping.

*Alabama  
claims*

The United States government contended that Great Britain had failed to exercise due diligence in safeguarding her neutrality, and that she could therefore be held liable for compensation to the extent of damage done by these Confederate cruisers to American commerce during the war. Senator Charles Sumner of Massachusetts, chairman of the powerful Senate committee on foreign relations, piled up an enormous bill of damages which he insisted the United States should collect from Great Britain. Sumner hinted that the annexation of British North America might prove an easy means of settlement. Exaggerated statements were made on both sides, and the controversy remained a dangerous issue between the two nations until England finally paid the United States damages of \$15,500,000 as a result of an arbitration provided for by the Treaty of Washington in 1871.

*Anti-British  
feeling in  
United States*

Largely because of this anti-British sentiment in the United States, the Elgin Reciprocity Treaty was cancelled in 1866. The disarmament agreement of 1817 on the Great Lakes was also abrogated by the United States, but sober reflection brought about its renewal in 1865. The United States Secretary of the Navy called for additional ships to patrol the international waterways between Canada and the United States, and the Secretary of State began to demand passports from all Canadian immigrants. Senator Sumner's speech on the Alabama claims, in which he made a bitter arraignment of British policy during the war, had the approval of President Grant and most of the United States Congress. The same senator favored the purchase of Alaska by the United States in 1867, because it would "set a watchful Yankee on each side of John Bull in his far-western Canadian possessions," and because it would "drive one more monarch from this continent." The suggestion that it would next be the turn

of the English monarch to evacuate North America, hardly requires further elucidation.

One more dangerous incident resulted from the war and served to complicate Canadian-American relations. In some respects, this was the most immediately troublesome of all of the post-war issues. Thousands of Irish-Americans in the United States, organized under the name of the Fenian Brotherhood, decided to take advantage of the hostile attitude of most Americans toward Great Britain as a result of the Civil War for the purpose of launching a movement which should bring freedom and independence to their native Ireland. A revolt in Ireland having been ruthlessly suppressed by Great Britain, the Fenians conceived the foolhardy idea of doing something for Ireland by twisting the tail of the British lion in Canada. Many Fenians were veterans of the Civil War, anxious to put their military experience to good use in Canada. A convention of the organization was held at Cincinnati, Ohio, in 1865; here an Irish republic was created, on paper, with a set of officials composed largely of Irish-American officers of the war. Bonds were sold and elaborate plans were made for the advance on Canada. It was optimistically assumed in many quarters that the Canadians would rise against their British governors as soon as the Fenians had occupied a corner of Canadian territory, and that the United States government would thereupon formally recognize the new republican government of Canada. If war with England followed, so much the better.

*Fenian  
Brotherhood*

On June 1, 1866, the hosts of Fenianism—which had been assembling on the Niagara frontier for several weeks—advanced upon Canada fifteen hundred strong. They seized the Canadian village of Fort Erie, threw up entrenchments, and issued a proclamation to the Canadian people. The American secretary of state waited five days before he issued a proclamation to guard the neutrality of the United States—a delay which may have been caused by his fear of antagonizing the Irish-American vote in the United States, or by a desire to impress upon England the necessity of settling the claims arising from the Civil War.

*Invasion of  
Canada*

Several engagements took place on Canadian territory. The Canadians rallied heartily to the defense of their native soil against these foreign agitators, and soon forced the Fenians to retreat to the United States. Hundreds were arrested by the United States authorities, but eventually were paroled and returned to their homes at the expense of the United States government. A similar raid across the Vermont border by New England Irishmen also ended in failure. The president of the "Irish Republic," Colonel W. R. Roberts, was arrested on a charge of organizing a conspiracy and of violating the United States neutrality laws. In 1870 another attack, for which careful preparations had been made in secret, was launched on the Vermont border, but both United States and Canadian authorities had been warned in advance and were on the alert for the invaders.

*Battling with  
invaders*



The leader, General O'Neil, was finally sentenced to six months' imprisonment in the United States. During this period of strained relations it was extremely fortunate that the Canadian authorities were wise enough not to inflict the death penalty on such Fenians as happened to fall into their hands. The last flurry of Fenian excitement occurred in 1871, when it was charged that some Irish-Americans were plotting to give aid to the rebellious Indian and half-breed population in the Canadian Red River country.

*Canada's  
claims for  
indemnity*

The Canadian government in 1871, during the negotiation of the Treaty of Washington, which was designed to provide the means of settlement for all outstanding Anglo-American disputes, tried to include a section which should provide compensation and damages to Canada for losses incurred during the Fenian movement. England, however, anxious to bring about a settlement of other points which were considered more significant, refused to support the Canadian position, and the Canadian envoys had to drop the matter.

*Fear of  
United States*

The effect of these incidents during the Civil War and the period of disagreement which followed was tremendous on the public opinion of both Canada and Great Britain. The United States emerged from the Civil War a great military power, with a large army of veterans, and with a national spirit that seemed to outsiders more militaristic than ever. In the picturesque language of the Irish-Canadian, Thomas D'Arcy McGee, "That shot fired at Fort Sumter (the opening engagement of the Civil War) was the signal gun of a new epoch for North America, which told the people of Canada, more plainly than human speech can express it, to sleep no more except on their arms." In the strained relations which characterized post-war Anglo-American diplomacy, and in such border troubles as the Fenian disturbances, the people of British North America discovered the need for a consolidation of their strength, for in the event of war between England and the United States, Canada and New Brunswick would become the battle-ground. The common dangers faced during these years did much to develop a spirit of greater unity among the British North Americans; spokesmen of the French party, such as Cartier and Langevin, spoke quite as excitedly about the dangers of annexation by the United States as did their contemporaries in the essentially English provinces.

*Problem of  
defense*

England, likewise, suddenly awoke to the British North American problem of defense, particularly as it involved the vast and undeveloped West beyond modern Ontario. This region was still the great hunting-ground of the fur trader and the Indian; it was not under the jurisdiction or control of the Canadian provincial government. It was a debatable question whether the region extending westward to the Pacific coast should remain part of British North America, or whether the lusty giant nation to the south might not ignore the artificial international line fixed by diplomats to pour its immigrants out on the British-American prairies as they were at that



time overrunning the great American Northwest. British Columbia, separated from the rest of British North America by hundreds of miles of virgin forest and rolling prairie, already was being drawn within the economic orbit of San Francisco. The psychological effect of this state of affairs was to make both Canadians and Britishers seriously ponder the development of a great British North American federation, which should consolidate the latent powers of the existing provinces and make it possible to face the problems of the future with a united strength and a common program.

Finally, it was not only fear of the United States, but also the example of the United States, which affected the development of the federation movement in British North America. During three-quarters of a century this region had been the immediate neighbor of the world's greatest experiment in federalism. The success of that experiment was, to be sure, temporarily clouded by the Civil War, and a policy of "blood and iron" was necessary to determine whether this federal state could survive the shock of Secessionist theories; but the American experiment weathered the crisis of war and embarked on a new period of even greater national unity. To the Canadian observer it seemed that the Secessionist controversy was in a large measure due to a defect in the United States Constitution, by which the central government was given limited and specifically delegated powers, and all the residue of governmental powers was left vaguely to the individual states, and to the people. Therefore, when British North America prepared her plan of federation she reversed the situation. The Canadian provincial governments received specifically defined powers, but all the residue of legislative power, whether or not stated in the instrument of government, was reserved for the Dominion government. Thus the experiences of the United States during the Secessionist controversy not only affected the confederation movement as such, but helped to determine the form which Canadian federation should take. Unhappily, the Canadian courts soon worked havoc with this distribution of legislative powers.

Example of  
American  
federalism

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## CHAPTER XVII

### CONFEDERATION

By 1864 political conditions in Canada had reached the stage of deadlock, and the legislative Union of Canada East and Canada West thus ended in failure. Government, theoretically based on "double-majorities" and double-headed cabinets from the two divisions, became so unstable that it functioned only with the greatest difficulty. It proved impossible to dispel the prejudices of race and religion which divided the French and the English elements. The average life of ministries was now six months, and even these Governments clung to their lease of power by slender majorities of from one to three votes. Each section, under the system of equal representation, was able to veto the demands of the other; public works were halted because of this unseemly competition, and the general stagnation which ensued gave new stimulation to the heavy Canadian exodus to the United States. *Political deadlock*

The "Clear Grits" under Brown were clamoring for "Rep. by Pop.," a change in the Union Act which French Canada was prepared to oppose to the last. The inequities of the taxation system afforded another argument for these Upper-Canadian reformers, for most of the funds for the Union government were raised through a system of indirect taxation, by which Canada West paid virtually three-fourths of the cost of government for the united provinces. The controversy over internal improvements, separate schools, and alleged Roman Catholic dominance in Canadian affairs reached a stage in which discussion gave place to extremely bitter and abusive personal attacks. The fear and the example of the United States were factors in promoting confederation, while the problem of the West, the *Canada Irredenta* of this period, was calling for solution. Settlers were beginning to enter the western prairie lands; a vigorous governmental policy was necessary to deal with the many problems which this advance of the frontier raised, particularly with the Indian and half-breed population, and with the Hudson's Bay Company. French Canada, however, persistently blocked all proposals to effect a settlement with the Hudson's Bay Company in order to extinguish the claims of that corporation to the West, for westward expansion would have meant territorial aggrandizement for the English section of Canada. *Problems to be solved*

Intimately related to political federation was the need for railroads to unite the isolated provinces of British North America. The maritime provinces were virtually isolated from the rest of Canada, *Need of railroads*

and hostile customs duties, coupled with the lack of common standards of currency, banking, and weights and measures, served as barriers to the development of better commercial intercourse. An inter-colonial railway was imperatively necessary, simply to provide a physical bond between the provinces, and also because so many of the railroads of the United States were approaching the Canadian border.

*Railway  
promoters and  
confederation*

The most prominent intermediary between the railroad promoters and the politicians of British North America and the home government was Edward W. Watkin, an associate of the banking house of Glynns and Barings, and an official of the Grand Trunk Railway. By organizing semi-official excursions to various parts of the provinces, and carrying politicians free on these trips, Watkin subtly convinced them of the need of more railroads, and promoted a better understanding among the leaders of the isolated provinces. Such a project as a great transcontinental railroad could of course be carried out only by combining the resources of all of British North America.

*Federation—  
a minority  
proposal*

Federation, when it came, was not the result of the demand of the majority of the Canadian people. It was the work of a small minority of leaders, "inspired by wide political vision, actuated by economic interest, stimulated by dangers of foreign aggression." It could not have been accomplished had not responsible government already been a reality in British North America and had not England renounced her old commercial policy by which the trade of the colonies had been fettered in the interest of the Empire. As has been shown, responsible government had been achieved in all of British North America except British Columbia shortly after 1849. Confederation was peculiar in the further respect that it is the only case on record to that time in which a group of colonies practically remade their own constitution in an absolutely peaceful way.

*Pioneers of  
confederation*

Many pioneers in the field of practical politics for years had urged federation as a solution for British North American problems, perhaps as early as 1783. Among earlier advocates of the movement the names of Guy Carleton, Chief Justice William Smith, and Lord Durham should not be overlooked. Federation was first proposed in the Canadian Parliament in 1856 by A. A. Dorion, leader of the Opposition from Canada East, as a result of a conference with Alexander T. Galt, the most influential representative of the English minority in the province. But after all, as Professor Skelton has pointed out, the idea of confederation "might occur to any politician of imagination with a map before him and the example of the United States in his mind."

*The Brown—  
Macdonald  
coalition*

In the spring of 1864 affairs in the Union Parliament of Canada reached another impasse. This time, instead of calling new elections, Lord Monck, the new governor-general, suggested a coalition Government, in which Macdonald and his political enemy, Brown, should divide the leadership. Brown had previously moved the



appointment of a committee to study the recommendations made by Galt, Cartier, and others in 1858, by which what really amounted to a plan of confederation had been communicated to the British colonial secretary. At that time, however, the mother-country had been cold and indifferent to the suggestion. Brown now intimated his willingness to coöperate with the Government in an effort to settle forever the constitutional difficulties which seemed to make further progress impossible. Galt and Macdonald formally called upon the leader of the "Grits," old party animosities were patched up as well as possible, a memorandum was drawn up pledging the Government to work out, if possible, a plan for the confederation of all the British North American provinces, and certainly for the two Canadas. Delegations were to be sent to England and to the other provinces to get their coöperation. Brown then entered a coalition ministry with Macdonald, his life-long enemy. As a necessary concession, three places in the cabinet were given to the Brown faction.

The new coalition was a tribute to the patriotism of George Brown. For him it meant the virtual wrecking of a party of which he had served as leader for many years, and the acceptance of an inferior position under Macdonald, a personal enemy whose principles he distrusted. Brown's conduct, moreover, meant an entirely new alignment in Canadian political life. Later, when the main purpose of the coalition had been accomplished, Brown resigned his irksome place in the Government, and the two leaders resumed their old positions and "ceased to speak."

*Brown's  
patriotism*

The first definite steps toward confederation were initiated, however, in the maritime provinces. For many years the advantages of a maritime federation had been under discussion. Federation here, after all, involved only the undoing of the disruption of 1784, when old Acadia had been divided into three parts. The movement in the provinces by the sea sprang, not from a breakdown or deadlock in the government, but from a keen realization of the handicaps of isolation, the need for an inter-colonial railway, the removal of tariff barriers, and other advantages which might come from a pooling of resources. Perhaps also the two giants of Nova Scotian politics, Joseph Howe and his younger rival, Dr. Charles Tupper, were seeking a larger arena for the display of their political talents.

*Movement for  
union in  
maritime  
provinces*

In 1863 Howe and the Liberals were driven from power in Nova Scotia. The new prime minister, Dr. Tupper, after having received the assurance of the British Colonial Office that there would be no interference from the mother-country, arranged for the calling of a convention of delegates from the maritime provinces to meet in Charlottetown, in September, 1864, in order to consider plans for a legislative union. Practically identical resolutions were adopted in New Brunswick, under the leadership of prime minister, Samuel Leonard Tilley, and in Prince Edward Island, where the people wanted less taxation and a chance to unload the railroad debts of

*Call for  
Charlottetown  
convention*

the province on a larger governmental unit, under the leadership of William Henry Pope.

*Work of  
convention*

The Charlottetown convention soon discovered that plans involving only such a small area as the three Atlantic provinces were exceedingly difficult to carry out to the satisfaction of all concerned. The deliberations were interrupted at an early stage by the arrival of a delegation of eight members from United Canada who had previously received permission from the maritime delegates to attend their conference. The Canadian delegation pledged support to the Charlottetown plans and urged the possibility of including all British North America in a plan of federation.

*Delegation  
from Canada*

The Canadian delegation consisted of Brown, Macdonald, Galt, McGee, Cartier, Hector Louis Langevin, William McDougall, and Alexander Campbell. They were cordially received and royally banqueted at Halifax and St. John, while the Grand Trunk Railway arranged a free junketing trip for the party and attending newspapermen through the maritime region. The exchange of felicitations on these occasions did much to pave the way for a successful scheme of confederation. Macdonald, Cartier, Galt, and Brown made the most important addresses at these festivities. Galt discussed the financial aspect of union, Brown dealt with the organization, powers, and work of the federal legislature, and Macdonald, a firm advocate of a strong central government, discussed the general framework of government. The work of these men stands out above the rest in constructive greatness. Thomas D'Arcy McGee, a brilliant Irish-Canadian poet, journalist, and orator, became the "Mazzini of Canadian nationalism" and in Parliament and on the lecture platform used his picturesque oratory to proclaim the new gospel of "one great nationality bound, like the shield of Achilles, by the blue rim of ocean."

*Call for Quebec  
convention*

The Charlottetown convention, in secret sessions, agreed on a popularly elected Lower House and a system of equal representation of the provinces in an Upper House. It adjourned to Halifax and then to St. John, and finally resolved to postpone further deliberations until a conference of all the British North American provinces could be arranged to meet at Quebec in the following month.

*Quebec  
convention*

The Quebec convention assembled on October 10 and adjourned on October 28. Its actual working time did not exceed fourteen days and its sessions were held behind closed doors. Thirty-three members constituted this constitutional convention, the first in the history of the British Empire. United Canada was represented by twelve delegates, five came from Nova Scotia, seven from New Brunswick, and an equal number from Prince Edward Island, and two from Newfoundland. Voting was by provinces, each province having one vote, except Canada, which had two.

*Fathers of  
confederation*

Among the most important leaders in the convention was Alexander T. Galt, who occupied a strategic position as the representative of the English minority in French Canada, and who in 1858 had

introduced the confederation idea as an issue of practical politics. Galt coupled the proposal for federation with the problem of westward expansion, and it was he who really converted Georges E. Cartier, the French leader of Canada East, to the project. The latter, in turn, undertook the difficult task of converting his fellow racials to an acceptance of the new plan of government, and became the prophet of a new Canadian nationalism. William McDougall, another important member, had long manifested a great interest in the opening of the West, and he particularly stressed this advantage of confederation. McGee did yeoman service in trying to effect a reconciliation between Catholics and Protestants, but his greatest achievement was the passionate and eloquent speeches in which he later argued for ratification of the Quebec resolutions in the Canadian Parliament. It was eminently fitting that his last speech in the Dominion Parliament, before he was struck down by the bullet of an assassin, was in defense of the Union, and an effort to keep Nova Scotia from seceding from the Confederation. Sir Etienne Taché served as chairman of the convention, and Hewitt Bernard acted as executive secretary. The latter performed in a small degree a service to posterity very similar to James Madison's in the United States Constitutional Convention, by keeping careful notes in long-hand of the proceedings of the secret meetings. Years afterwards, these notes were found among the papers of John A. Macdonald and published. Important notes by A. A. Macdonald, a delegate from Prince Edward Island, have also been discovered and made available to students of the convention. It is a significant fact that John A. Macdonald was really the last to be converted to the necessity of confederation, and that even in the Quebec convention he tried to secure a legislative union instead of a federation—a solution that was utterly impractical at the time. Opportunistic to the last, Macdonald nevertheless displayed his unusual quality of managing men in the convention and in the critical controversy over ratification which followed. Macdonald, Galt, Brown, Cartier, McGee, Tupper of Nova Scotia, and Tilley of New Brunswick were "the Big Seven" whose leadership made confederation possible. One of the giants of British North American politics was conspicuously absent, and his absence involved important consequences. Joseph Howe, who had for years been preaching the gospel of closer union and an inter-colonial railway, was invited by Tupper to serve as a delegate from Nova Scotia. He declined the appointment because his duties as fisheries commissioner under the Reciprocity Treaty of 1854 took him away on his regular cruise of inspection. At the time, however, he promised his coöperation "in carrying out any measures upon which the Conference shall agree."

The results of the Quebec convention were incorporated in seventy-two resolutions which became the basis of the British North America Act of 1867. These the delegates promised to get their respective

*Quebec  
resolutions*



legislatures to ratify. In many respects the resolutions of the Quebec convention correspond with the detailed proposals which Galt had made in 1858. The Quebec resolutions recommended a federal union of all the British North American provinces under the British Crown. They provided for a federal government, and for provincial governments in each of the provinces, and proceeded to enumerate the powers and duties of the federal and the provincial legislatures, leaving all the undefined residue, or "reserved powers," to the federal government. The federal Parliament was to consist of a Lower House based on population, and an appointive Upper House or Senate. With reference to the Senate, Canada was considered as comprising three divisions—Ontario and Quebec, with the maritime provinces of Nova Scotia and New Brunswick constituting the third. Each division was to be represented by twenty-four senators, those from the maritime section to be divided equally between Nova Scotia and New Brunswick. Only Prince Edward Island supported the American idea of equal representation in the Senate for all members of the Confederation, large or small. The central government was given the right to disallow provincial measures, and the federal ministry could appoint and dismiss the lieutenant-governors of the provinces. Provision was made for the preservation of the British connection by retaining the governor-general, and of course the system of appeal to the Privy Council from the colonial courts, based on old British Acts, was in no way affected by the confederation proposals. The details of the British North America government and of the present government of the Dominion of Canada must be reserved for a later chapter. It is significant that in the Act the word "dominion" was substituted for "kingdom" of Canada because the British minister for foreign affairs, in those gloomy days of Anglo-American misunderstanding, feared that the word kingdom would "wound the sensibilities of the Yankees." In any case, these names were better than *Laurentia*, *Cabotia*, *Ursalia* or *Septentrionalia*, all of which had been proposed for the new combination of British provinces.

*Financial  
terms*

Important financial arrangements also had to be made in order to secure the adherence of some of the delegates to these confederation proposals. For example, the bankers of Prince Edward Island were extremely anxious to unload the burden of their railroad bonds on the new Dominion government; the provincial government wanted to avoid unpopular increases in taxation for these internal improvements. In the past the maritime provinces had depended entirely on taxation levied by the provincial governments, for even the support of clearly municipal enterprises. In exchange for the customs duties, which the provinces now surrendered, it was agreed in the Quebec convention that the dominion treasury should grant annually to each province a sum equal to eighty cents per capita of population, as determined by the census of 1861, and that these federal subsidies should be paid six months in advance. In addition, the debts of the



provinces, up to a specified amount, were to be assumed by the new federal government, and each province was to receive a specific contribution for the support of its provincial government. This federal subsidy which was compensation for the surrender of the provincial right to levy customs duties, also served as an additional bond of union by increasing the financial dependence of the provinces upon the central government. From time to time it has been necessary to increase these subsidies and debt allowances in the case of some of the provinces.

The battle over ratification began in earnest when the seventy-two resolutions of the Quebec convention were submitted, *en bloc*, to the respective legislatures. Macdonald dispatched Brown to London to sound out the British government on these proposals, and early in 1865 he introduced a resolution in the Parliament of United Canada praying the Queen to ask the British Parliament for a law incorporating the Quebec Resolutions. Macdonald again revealed his powers of leadership and debate in this controversy over ratification. The opponents of confederation, led by A. A. Dorion, Christopher Dunkin, and John Sandfield Macdonald, criticized the Quebec convention for its hasty action, and pointed out many defects in its work. Some argued that confederation was a step toward independence, others demanded an elective Senate. It was suggested that since the Senate did not follow the American plan of equality for each constituent province it would be inevitable that the executive or cabinet of the federation would be formed on a sectional basis. As a matter of fact, this turned out to be a true forecast of one of the weakest elements in the Canadian federal executive system. The Dominion has never had a cabinet representing the best talents available to the prime minister. During the debate there was much opposition to the financial terms of the settlement, and to the pledge to build an inter-colonial railroad. Some criticized the division of powers between the central and the provincial governments; some believed that the federal government would become too powerful, and others expressed the fear of being overwhelmed by the rising tide of French nationalism. There was also a demand for a popular referendum on the whole plan of federation, and this was supported by the claim that the entire scheme had been concocted by politicians in the face of quite widespread apathy among the Canadian people.

After a long and exhaustive discussion in which the whole political and economic life of Canada was subjected to close scrutiny, with many a squint at the United States, the Parliament of United Canada ratified the Quebec Resolutions by a vote of ninety-one to thirty-three in the assembly, and forty-five to fifteen in the legislative council.

In the maritime provinces confederation struck unexpected obstacles. In New Brunswick the Opposition raised the bogey of being taxed to support Canada and denounced the federationists

*Contest over  
ratification*

*United Canada  
ratifies*

*Action of  
maritime  
provinces*

for selling the New Brunswickers "to the Canadians for eighty cents a head." In the general election, of an assembly of forty-one members, only six supporters of federation were returned. Prince Edward Island rejected the Quebec Resolutions outright, the legislative council unanimously, and the assembly by a vote of twenty-three to five. In Newfoundland the commercial interests were alarmed by the likelihood of higher duties under confederation, and in 1868 the electors of the island declared decisively in favor of a policy of isolation. For all of the maritime provinces confederation seemed to involve a leap into the dark, and the possibility of a higher tariff and larger debts.

*Contest in  
Nova Scotia*

In Nova Scotia, Tupper and Howe engaged in a great political duel over confederation—a contest in which Howe had the sympathy of the governor. Howe denounced the "Botheration Scheme," as he called the Quebec conference, with all of the vehement eloquence with which he had once advocated closer union. He appealed to the intense provincial patriotism of the Nova Scotians by warning them that their country would soon swarm with Canadian political tricksters, that confederation would mean higher tariffs and the adoption of a protective tariff policy, and that in every way a legislative union of the maritime provinces would be superior to the impractical plan of federation. Howe also pointed out that federation might arouse the suspicion of the United States and cause trouble on Nova Scotia's exposed frontier. As a matter of fact, confederation was discussed in the United States Congress, and the legislature of Maine called the attention of the federal government at Washington to the establishment of a new form of monarchical government in Canada.

*Howe versus  
Tupper*

In all of Howe's arguments, which for the most part were no doubt sincere, one cannot fail to note the spirit of egotism, Howe's greatest failing. It was hard for him to play second fiddle to his younger rival, Tupper, in a matter of such tremendous significance to his province. When New Brunswick rejected confederation, Tupper decided to fall back for the time being upon the proposal of a legislative union of the maritime provinces. Howe carried the first election after confederation, and set out for England to continue the fight there. In the end, however, Tupper defeated his opponent by using Howe's own earlier speeches against him, while Macdonald convinced him that he was fighting for a lost cause. In 1869 Howe entered Macdonald's cabinet as part of a bargain by which he gained better financial terms for his province. His great career ended in 1873. At the time of his death he was serving as lieutenant-governor of his beloved Nova Scotia.

*Attitude of  
Great Britain*

It was in the face of these discouragements in the maritime region that a Canadian delegation, of which Macdonald, Cartier, and Galt were the most important members, and a maritime delegation on which were Tupper of Nova Scotia and Tilley of New Brunswick, set out for England, in November, 1866, to frame the details of a bill

incorporating the Quebec Resolutions and such changes as the struggle over ratification had made necessary. Resolutions were drawn with the aid of the law officers of the Crown and submitted to the secretary of state. Again it was the genius of Macdonald which harmonized the various prejudices and local interests of the delegates. The British government was, on the whole, quite apathetic. Men like Gladstone and John Bright were considering the proposal of ceding Canada to the United States, in order to avoid further trouble. Many British Liberals believed that the ultimate destiny of Canada was independence, and that no obstacle should be placed in the way of her achieving this destiny as soon as possible. In the words of Professor Kennedy, the Dominion of Canada was "born in a period of mid-Victorian gloom."

Meanwhile, sentiment in the maritime provinces was becoming more favorable to ratification of the plan of federation. Upon direct pressure from the home government, the lieutenant-governor of New Brunswick became reconciled to confederation, and, after a dissolution, Tilley obtained a majority authorizing progress with the plans for federation. Under Tupper's leadership Nova Scotia too swung into line in April, 1866—although a great battle still had to be fought with Howe over the attempt to repeal Nova Scotia's action.

*Change of  
sentiment in  
maritime  
provinces*

The British North America Act was passed by the British Parliament in 1867 without a division at any stage of its consideration, with as little interest as if it "were a private bill uniting two or three English parishes." It was substantially unchanged from the proposals presented by the Canadian delegates. A royal proclamation announced July 1, 1867, as the official birthday of the new Dominion of Canada. Simultaneously, a bill was passed guaranteeing £3,000,000 for an inter-colonial railroad. When the British North America Act went into operation, the Dominion consisted of only four provinces—Quebec, Ontario, New Brunswick, and Nova Scotia.

*British North  
America Act  
of 1867*

At the time of the Confederation all of British North America had a population of 3,500,000, of whom over four-fifths were native born. Most of the population lived east of the Great Lakes. The population of the vast region west of the lakes did not exceed 100,000. There were nine cities in the new Dominion with a population over 10,000. Montreal, with 100,000 people, was the metropolis of Canada, Quebec had grown to 60,000, and Toronto to 50,000. The region beyond Ontario was a wilderness dotted by Hudson's Bay Company posts, and a sea of prairie grass where the American buffalo still roamed in great herds. British Columbia was in its infancy and was an almost unknown Pacific province isolated from the rest of Canada by hundreds of miles of unoccupied land. Ontario was the most progressive of the provinces, with a system of small-scale farming and dairying very much like that of the western states of the United States. Land sold as low as fifty cents an acre, and the government was greatly interested in a vigorous immigration policy which should extend the Canadian farming frontier toward the Pacific Ocean.

*Status of  
provinces in  
1867*



Farming methods had changed little in French Quebec, while the maritime provinces were suffering from a lack of capital and a general depression.

The total lumber exports of the provinces were valued at \$14,-000,000 a year, while the fisheries yielded \$4,000,000. In Nova Scotia and British Columbia the mining of coal had been begun, but most of Canada's mineral resources were still undeveloped, largely because of a lack of capital. Efforts were being made to develop home manufacturing in order to absorb the country's raw materials, and Montreal was fast becoming the center for the boot and shoe industry, while in Ontario considerable progress had been made in the development of woolen mills. The lack of transportation facilities remained one of Canada's great handicaps.

Confederation raised high hopes for the future. The years of great promise seemed just ahead.

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For fuller bibliography, see TROTTER, *Syllabus*, pp. 120-125.



## CHAPTER XVIII

### THE GOVERNMENT OF CANADA

THE British North America Act created a federal system of government in which every effort was made to avoid friction between the sphere of functions and powers left to the provincial governments and those vested in the central government. By retaining complete sets of provincial governments and superimposing a new machinery of federal government, Canada became, in proportion to her population, the most expensively and elaborately governed country in the Anglo-Saxon world. The British parliamentary system, rather than the system of separation of powers between the executive and legislative branches prevailing in the United States, was retained in Canada, and has become a custom of the constitution in Canada as it is in England. Responsible parliamentary government works in Canada, as in the mother-country, not so much as a matter of law, but as a matter of firmly-rooted tradition.

*Nature of  
Canadian  
federalism*

The distribution of legislative powers can be best understood by referring to sections 91, 92, 93, and 95 of the British North America Act, reprinted in the appendix. The Act of 1867 enumerated a series of powers which the provinces were to continue to exercise. Among these may be mentioned the power of direct taxation within the province in order to raise money for provincial purposes, the power over municipal institutions, and the right to incorporate corporations for provincial purposes. The solemnizing of marriages, the regulation of shops, saloons, taverns, and other businesses by license in order to raise revenue for local or provincial needs, and the ordinary control over property and civil rights within the province were granted to the provincial legislatures. In all, fifteen enumerated provincial powers were vested in the provincial governments, together with a general exclusive provincial power over matters of purely local and private concern.

*Provincial  
powers*

The Dominion government has full powers over matters affecting the peace, order, and good government of Canada, insofar as these have not been specifically granted to the provinces. In addition, the entire residuum of governmental powers, after this division of functions has been made, is vested in the federal government. But the federal residual power is always limited by the provincial residuary powers over local matters. Twenty-nine powers were specifically enumerated in the British North America Act as granted to the Dominion government alone. Included in these enumerated powers were such matters as the control of the public debt, the postal service,

*Powers of  
Dominion  
government*

coinage, fisheries, banking, bankruptcy regulations, patents, the army and navy, marriage and divorce, and the wide and important field of criminal law. On two subjects, agriculture and immigration, the central and provincial governments were granted concurrent powers. In case of conflict the federal power will prevail. For the control of education, a subject likely to raise the irritating issue of separate schools in a racially divided country like Canada, a special article (section 93) was included in the Act of 1867, granting provincial legislatures the exclusive right to make educational regulations, but with the proviso that these regulations must never affect any right or privilege enjoyed in law by any separate group or denominational school at the time of federation. Should these guarantees ever be violated, an appeal could be carried to the Dominion cabinet, and the Canadian Parliament was authorized to pass remedial legislation.

*Conflicts of  
jurisdiction*

It is significant that this special section on education was sponsored primarily by Alexander Galt, in order to protect the Protestant minority of Quebec, whose spokesman he was. On the other hand, it is doubtful whether the French Canadians would have consented to confederation unless their rights to separate schools had been thus specifically recognized and guaranteed. This section of the British North America Act soon became a source of many disputes, and in later years it proved a stumbling-block for several federal ministries. In spite of careful efforts to avoid conflicts of jurisdiction, the Dominion of Canada has not entirely escaped difficulties over the question of the extent of federal and provincial rights, and scores of court decisions by Canadian courts, as well as by the British Privy Council, have been concerned with the attempt to delimit the powers and jurisdiction of these two spheres of government. Together with the educational clause, the provisions concerning taxation have probably been the most fruitful of legal and political conflicts. After all, federation was the result of compromise between many local, religious, racial, economic, and political prejudices. Necessarily, there was much overlapping in the allocation of legislative powers. The builders of the Dominion deliberately avoided being too logical, and were content to leave much latitude to the courts in settling conflicts of jurisdiction.

*Position of  
the governor-  
general*

Theoretically, the governor-general of Canada is at the head of the Dominion government, as the direct representative of the Crown in Canada. Theoretically, he appoints the lieutenant-governors of the provinces, disallows provincial statutes, makes appointments to the government service, and serves as commander-in-chief of the armed forces of the dependency. Actually, he performs these functions only on the advice of his cabinet, and this advice, according to long-established practice, he is expected to accept and follow on all occasions. The cabinet assumes full responsibility for all acts of the governor-general. By virtue of the dignity of his position as the direct

representative of His Majesty the King, and because of his detachment from the conflicts of party politics, the governor-general may exert some influence upon his ministry, and upon the currents of public opinion, but this influence is of a personal rather than a legal nature. He also serves as the visible link of empire, and as the interpreter of Canada to England, and *vice versa*. The term of office of the governor-general now is limited by practice to six years, and a new appointment is usually withheld until Canada has expressed her willingness to receive the king's selection. The governor-general must carefully abstain from talking politics in public, and from all participation in the activities of partisan organizations. In case of his death or absence from Canada, the chief justice of the Canadian Supreme Court usually performs the functions of the governor-general.

The Canadian governor-generalship has long been regarded as a position of great official dignity, rather than one of power and influence. In 1926, when Lord Byng refused to dissolve Parliament on the advice of the legally constituted cabinet, this unexpected assumption of independent power aroused much unfavorable comment in the Dominion and became one of the issues in the elections of that year. Subsequently, in the Imperial Conference held at the close of 1926, the governor-general's position was more clearly defined and his powers still further reduced. It was agreed that the governor-general in any dominion "is a representative of the Crown, holding in all essential respects the same position in relation to the administration of public affairs in a Dominion as is held by his Majesty the King in Great Britain, and he is not a representative or agent of his Majesty's Government in Great Britain, or of any department of that Government." In other words, the governor-general now no longer represents the British home government, but acts simply as a viceroy, whose functions are largely informal, symbolizing the unity of the Empire under a common Crown. Moreover, the recognized method of communication between a dominion and the mother-country is henceforth not to be through the governor-general, but directly from cabinet to cabinet.

*Present-day  
powers*

The Parliament of the Dominion of Canada consists of a Senate and a House of Commons. The Senate is an appointive body, selected by the Crown acting through the governor-general, which, of course, really means appointment by the Dominion cabinet. The fathers of confederation entertained high hopes for the future influence and usefulness of this Upper House. Membership was to be limited by an age qualification of thirty years, and the holding of at least \$4000 worth of property in the province represented. Membership in the Senate was made appointive in order to avoid the heavy expense of senatorial elections, and to eliminate the possibility of a deadlock which might result if both houses had an equal right to claim to be the people's direct representatives. Another reason was a pledge, made in the Quebec convention, to appoint the first senators

*Senate*



of the Dominion from among the membership of the provincial councils, since the latter would be abolished with the inauguration of confederation. The Senate originally had seventy-two members, twenty-four from Ontario, twenty-four from Quebec, twelve from Nova Scotia, and twelve from New Brunswick. With the admission of additional provinces to the Dominion, the number has been gradually increased, until in 1921 the membership of the Upper House reached ninety-six. The number of senators may not at any time exceed one hundred and four, unless Newfoundland should decide to enter the Confederation.

*Appointment*

Senators are appointed for life, and in every province except Quebec, they represent the province at large. In Quebec one senator is appointed for each of the twenty-four electoral divisions formerly represented in the legislative council of Lower Canada. Other than through removals by death, a senatorial seat may be vacated by the loss of the property or residence qualifications, by conviction of crime, or by remaining away from the meetings of Parliament for two consecutive sessions.

*Procedure*

The procedure of the Canadian Senate is modeled carefully upon that of the British House of Lords. The Senate chamber is done in red, and contains a throne from which the king's representative addresses the members of Parliament. The officer representing the power and dignity of the Senate is known by the English title of Gentleman Usher of the Black Rod. The Government party and the Opposition always have a leader in the Upper Chamber, but it has long since been a convention of the constitution that the Senate need not be represented in the Dominion cabinet.

*Present-day  
importance*

In spite of the expectations of the founders of federation, the Senate has lost most of its importance and functions only sporadically with effectiveness. Finance bills cannot be originated or amended by the Senate, though they may be rejected. A custom has developed by which divorce bills originate in the Upper House. In seven provinces there is a divorce jurisdiction carried over into federation from powers possessed before 1867, but Ontario and Quebec (the Canadas) never possessed a divorce jurisdiction and none exists there now, necessitating the use of Parliament virtually as a divorce court. The Senate's powers over legislation are limited in practice to revising measures which come from the popular house, and only rarely has the Upper House dared to reject really important legislation. Sometimes this power of revision has served as an effective check upon hasty law-making, and in some cases, it has undoubtedly resulted in improvement in the character of bills. In any case of serious deadlock between the two branches of Parliament, the Senate would undoubtedly have to yield to the popular body, although the number of additional Senators who could be appointed to break the deadlock by the party in power is limited by statute to eight. The revision of the



composition of the Senate, and even its total abolition, is a much-discussed issue in present-day Canadian politics.

The salary or "indemnity" of a senator was originally fixed at \$2500 for every session of over thirty days, with deductions for absences. With a liberal allowance for traveling expenses and clerical assistance, a senator's total income probably reached \$6000 a year. More recently, the salary of members of Parliament was raised to \$4000. All senators are addressed as "Honorable" while in office, and are entitled to elaborate offices and club perquisites in the government buildings. Under ordinary conditions very few cabinet ministers have seats in the Upper House, and often the Senate has little to do. Canadian newspapers seldom assign reporters to cover its proceedings, and often decline to print accounts of the debates when they are furnished free by a special reporter hired by the Senate. The average Canadian today knows but few of the members of the Upper House. The Senate has become a "reservoir of party patronage," and appointment to the honors and emoluments of a senatorship is used by party leaders in power to reward men who have served the party well, such as newspaper editors and others who seem to deserve a pension for political services rendered. The result of this practice has been that the average age of the members of the Senate is probably higher than that of any legislative body in the world, and senators eighty and even ninety years of age are not uncommon. There is usually a long waiting-list of men who desire these appointments to a place of honor and leisure and pleasant retirement from the stormy arena of active politics. The Senate has repeatedly been described as a body which "does nothing in particular, and does it very well."

*Perquisites and influence*

The House of Commons is the important branch of the Dominion Parliament. It is chosen by the qualified voters of the Canadian provinces by a suffrage fixed by provincial action. At present this means virtually universal male and female suffrage. Representation in the Lower House is apportioned according to population. Quebec, by the terms of federation, was guaranteed an unchanging number of sixty-five seats in the Commons. The number of representatives for the other provinces is determined by dividing the population of the province of Quebec by sixty-five, in order to get the federal ratio of representation, and then dividing the resultant figure into the population of each province. Reapportionments are based on the decennial census. At present the membership of the House of Commons is 245.

*House of Commons*

General elections must be held at least once every five years, but Parliament, under the system of responsible government, may be dissolved at any time and new elections ordered by the governor-general on the advice of his ministry. The only specific requirement concerning the time for meetings of Parliament is that twelve months must not intervene between two sessions. Sessions usually begin in November, and may last for shorter or longer periods, depending on

*Elections*

the volume of business and the plans of the Government. Canadian constituencies have names, usually geographical, instead of numbers, as in the United States. Any one may be nominated for Parliament who is a British citizen, twenty-one years of age, if he can get twenty-five voters to sign his nomination papers, and if he is willing to make a deposit of \$200. If the candidate then fails to poll at least one-half as many votes as the successful aspirant, his deposit is forfeited to the government. The development of rigid party lines has reduced independent candidacies to a minimum. Ballots contain neither party emblems nor party names, but only the name, residence, and occupation of the candidates—an arrangement which puts more of a premium on intelligent voting than is the case in most American states where ballots contain the party column and the party emblem.

*Procedure*

At the opening of Parliament the ancient procedure of the British "Mother of Parliaments" is carefully followed. The Commons are summoned to the bar of the Upper House in disorder, and then are advised to retire to their own chamber in order to elect a speaker. When this has been done, and the speaker has taken his chair, the sergeant's mace, which is the symbol of the authority of the Commons, is placed upon the table. The speaker is not a party leader, and is usually selected alternately from the French and English elements. (This custom was broken in 1926.) He occupies a position somewhere between that of the speaker of the English House of Commons, who is an absolutely impartial arbiter of proceedings, and the speaker of the United States House of Representatives, who frankly is expected to be a partisan leader. The Canadian speaker votes only in case of a tie.

*Throne speech*

On the day following the election of a speaker the Commons again proceed to the Senate chamber, to hear the throne speech of the governor-general. This is read in both English and French, and usually written, or at least closely supervised, by the prime minister. The speaker is presented officially on this occasion, and makes the ancient petition that the Commons may enjoy the usual privileges of Parliament. This is, of course, a mere formality, and no approval is required or sought from the governor-general for what the Commons regard as their firmly-established legal rights. After the retirement to the House of Commons, a "dummy bill" is introduced before the members proceed to a consideration of the throne speech and the drafting of a reply. This procedure again follows a British precedent, and indicates the power of the House of Commons to act entirely on its own authority and without waiting for the address from the throne.

*Party government*

The procedure of the Canadian House is modeled as closely as possible upon that of its British prototype. Much of the work is done in standing committees, the bills of private members have little chance of passing, and all money bills must be sponsored by the Government. Party "caucuses" and party "whips" keep wavering party members in line as supporters of the program of the Government. Both English

and French are the languages of debate. The leader of the Opposition party receives a special salary from the government for the performance of his duties as chief critic of the administration. When bills have passed both houses, they are assented to and signed by the governor-general. The latter has no veto, although theoretically he may reserve bills for the pleasure of the Crown, in which case, again theoretically, they may be disallowed at any time within two years. The last bill to be disallowed was the Oaths Bill of 1873. Since that time the veto power has been dormant.

The dominion cabinet is by far the most powerful organ of the Canadian government, although technically it has no legal existence except as a committee of "the King's Privy Council for Canada." *Cabinet* The Privy Council is appointed by the governor-general, on the advice of the ministry. In contrast with British practice, the appointment of Privy Councillors rarely occurs except when necessary to make an individual legally eligible for cabinet office. The Privy Council never meets apart from the cabinet.

As in all countries where the British parliamentary system prevails, the cabinet consists of a committee of Parliament, representing the majority group in the House of Commons; the cabinet, or "Government," which combines vast executive and administrative duties with responsibility for legislation, can remain in office only so long as it retains the confidence and support of a majority of the Commons. *Procedure* No formal records of cabinet meetings are ever kept, all of its sessions are in secret and are never referred to in Parliament, and there is no fixed membership of the cabinet, although usually, the number ranges from fifteen to twenty. The principle of joint responsibility for all decisions of the cabinet is firmly established. The governor-general has long since ceased to attend these deliberations except for purely ceremonial functions.

The cabinet, under the leadership of the prime minister, furnishes the real governmental leadership in Canada. It brings in and sponsors all Government bills, and as the complexities of government are steadily increasing, these are practically the only measures which have a chance of passage. The cabinet is responsible for all taxation and expenditures, and also constitutes the executive power of the Dominion. While there are always a few ministers without portfolio, most members of the cabinet serve as heads of government departments. *Cabinet powers* On accepting appointment to a cabinet position, members of the House automatically vacate their seats and must appeal to the electorate for reelection. Recently, there has been some discussion of a proposal to abolish these ministerial elections, which in many cases are mere formalities. The prime minister is technically unrecognized by the Canadian constitutional system. The only law which takes cognizance of his existence is the one giving him a special salary in addition to his regular stipend as a member of Parliament.

Only the most important ministerial positions can be noted here.



*Ministerial  
positions*

Next to the prime minister in importance, is the minister of finance, who together with a subcommittee of the cabinet, directs the financial program of the Government. The auditor-general, who is a civil servant and does not technically hold a ministerial position, serves as virtually a permanent appointee. He examines the public accounts and reports the results of his audits to the House of Commons. The minister of justice is the legal advisor of the government, including the governor-general, and acts as the attorney for the government in all litigation. He also supervises the penitentiaries and the Dominion police, and recommends the appointment of judges. His chief assistant, the solicitor-general, sits in Parliament, but until recent times was not a member of the cabinet. The secretary of state's office takes care of all government correspondence and official papers, and has the responsibility for external affairs, such as consulates, passports, and dispatches from other governments. The minister of public works, besides taking care of all internal improvements and the public buildings of the federal government, for a long time, supervised the Canadian post-office. The functions of the minister of railways and canals have become steadily more important and more numerous with the rapid expansion of facilities of communication and transportation. The minister of the interior is in charge of public lands, Indian affairs, the forests, national parks, the geological survey, and many other matters. In recent years the minister of immigration has assumed new importance with the growing desire to attract settlers to Canada's virgin prairies. The minister of agriculture combines with his more obvious duties the supervision of patents and the census. The functions of the minister of marines and fisheries and the minister of customs are fairly clear from the titles of their positions. In addition, there are the minister of trade and commerce, the minister of labor, the minister of inland revenue, and the minister of militia and defense. There is nothing final about the distribution of functions among these various department heads, nor does the number of cabinet officials remain the same in every decade. Changes and additions are made in accordance with the increasing needs and responsibilities of government. Another important official of the Canadian government who should not be overlooked, is the Canadian High Commissioner, sent to London as a quasi-diplomatic representative of Canada in the mother-country. A permanent Canadian agent is also maintained in Paris. The office of high commissioner was established in 1879, and has been filled by such distinguished Canadians as Galt, Tupper, and Lord Strathcona and Mount Royal.

*Civil service*

As in the case of most governments, much of the important expert work in Canada is done by commissions, and by a great host of under-secretaries and government clerks whose names are seldom known to the public. Nevertheless, it is these men who constitute the great permanent staff of experts without whose services the government could not long carry on. At first, appointments to the Canadian civil



service were frankly political. A civil service law in 1868 proved ineffective, and both parties were guilty of reducing it to a dead letter. In these early days of civil service reform, not only were examinations held usually after the appointment was made, but failure to pass led to a second chance; the examinations themselves were extremely simple. The Canadian "spoils system," however, differed from that which flourished in the United States so disastrously after the days of President Andrew Jackson, in that appointments, once made, were likely to prove permanent. There was no "rotation in office," a practice accepted by all parties in the United States, and promotions generally depended on merit rather than on politics.

The first real effort to substitute civil service reform for the spoils system was made in 1882, when a law was passed creating a Board of Examiners for applicants for government positions. The law was due largely to the indefatigable pioneering work of George Elliot Casey, who had entered Parliament in 1872 at the age of twenty-two and devoted himself zealously to the cause of civil service reform. Year after year he introduced bills modeled on the British civil service acts. The law of 1882 was a compromise measure, the examinations were too easy and non-competitive, and politics still played a major rôle in getting names on the eligible lists.

*Civil service reform*

In 1908 a more effective law was passed providing for the appointment of two commissioners to conduct the competitive examinations for all positions in government departments below those of deputy-head. The commissioners were removable only upon a joint address of the houses of Parliament. All appointments to the civil service were made provisional for a period of six months. Promotions depended not only upon the recommendations of department heads, but also upon certificates of qualification which had to be obtained from the commission.

*Law of 1908*

The ordinary courts of Canada are maintained at provincial expense, but the judges are appointed by the Dominion government. In each province there is a supreme court of appeal to which cases come from the lower courts. At the apex of the Canadian judicial system is the Supreme Court of Canada, created in 1875, and this tribunal, under certain specified conditions, exercises appellate jurisdiction in both civil and criminal cases. Most cases now end in the Canadian Supreme Court, but an appeal still lies, by petition, to the Judicial Committee of the British Privy Council, which serves as a supreme court for appeals from all the dependencies. This appellate jurisdiction of the Privy Council is another of the much-discussed questions of present-day Canadian political life, and there are many who resent this last vestige of British control, which seems to them an unwarranted and unnecessary limitation upon Canada's recently-acquired nationhood.

*Courts*

The provincial governments closely resemble the Dominion government. Quebec and Nova Scotia have bicameral legislatures; the other provinces unicameral. Each province has a lieutenant-governor,

*Provincial governments*

appointed by the Dominion government, and virtually holding office at its discretion. There are provincial prime ministers and cabinet ministers who function as heads of their respective departments and governments, in accordance with the recognized procedure and custom of responsible parliamentary government. The Dominion power to disallow provincial acts, which is lodged in the governor-general-in-council, that is, the cabinet, is now very infrequently used, and as a rule only when provincial legislation might prove harmful to the Dominion as a whole, or is in clear violation of treaties or imperial rights.

The chief limitations on the self-governing powers of Canada, as fixed by the British North America Act of 1867, were the imperial power to disallow Dominion measures, the control of foreign affairs, the appellate jurisdiction of the Privy Council, and the fact that the Canadian constitution is the result of legislation by the British Parliament, and therefore cannot be amended except by action of the British Parliament. Other minor rights were reserved at the time by Great Britain, such as control of immigration, copyright, the governor's pardoning power, and command of the Canadian defenses by a British officer, but these have now passed under the control of the Dominion government. Many significant modifications have been made in the last generation in the powers of the imperial government over Canada, and the evolution of Canadian nationhood is probably not yet completed. This question of the development of Canadian nationality, and the changing status of Canada in the British Empire, must be left for later consideration.

Canadian  
nationhood

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## CHAPTER XIX

### INAUGURATING THE NEW RÉGIME

LORD MONCK, who was acting as governor-general of Canada at the time of confederation, summoned John A. Macdonald to build the first ministry to put the Dominion government into operation. The selection was eminently fitting, the only one politically practical. Elections for the Dominion Parliament were held in August and September, 1867, and in three of the provinces the coalition Governments which had sponsored confederation, were sustained by the voters. In Nova Scotia the confederation proposal received what seemed a crushing blow, due to the influence of Howe, when all of its supporters except Tupper went down to defeat. A number of the successful candidates in each of the provinces secured seats in both the provincial and the federal parliaments, and this practice of playing a double rôle in provincial and Dominion politics continued for many years. Among the conspicuous builders of confederation who suffered defeat was George Brown; the old "Grit" leader did not make his reappearance in public life until 1874, when he accepted a seat in the Senate.

*First Dominion  
Parliament*

It required all of Macdonald's consummate skill as a political strategist to construct a cabinet which would represent the various factions in the Dominion, for this first ministry, if the coalition were to endure, had to please both Liberals and Conservatives. Brown objected to the continuance of this coöperation and tried hard to reunite the Liberals under his leadership. The Catholic and Protestant elements, the French, the English and the Irish Catholics, all had to be recognized in the new cabinet. Macdonald constructed a Government in which the Conservatives had seven and the Liberals six portfolios, and the representation of the various elements in Canadian politics was as fair as could be expected. Ontario received five places in the cabinet, Quebec four, and the maritime region four.

*First Dominion  
Government*

Macdonald, of course, assumed the position of prime minister, and in addition, undertook the duties of minister of justice. Other leading figures in this first ministry were Cartier, the most important of the French Canadians, who became minister of militia and defense, Galt, who became minister of finance, and William McDougall, a vigorous "Clear Grit" and chief editorial writer for the *Globe*, who assumed the duties of minister of public works. Among the notable fathers of confederation who for practical political reasons had to be omitted from this first ministry, were McGee and Tupper.

*Leading figures  
in cabinet*

The first Dominion Parliament assembled at Ottawa on November



*Constitutive  
legislation*

6, 1867. It faced the tremendous task of passing the scores of bills necessary to set the new government in operation. Laws were enacted creating the various government departments and defining their duties. The salary of members of Parliament was fixed at \$600. Revenue measures were adopted, and in 1871 the first general banking law for the Dominion was enacted. Largely the work of Francis Hincks, it laid the basis for the sound banking principles to which Canada has steadily adhered. The minimum capital of chartered banks was fixed at \$500,000, and the note-issue was limited to the actual amount of paid-up capital. Dividends and profits were limited to eight per cent until the bank had accumulated a reserve fund equalling twenty per cent of its capital, and numerous other regulations as to reserves and double liability of stockholders provided ample security for the banking public. Consolidation has been the rule among Canadian banks, and in 1927 eleven large banks with their branches served the needs of the Dominion. The tendency has been to absorb all local banks just as soon as they become important in their communities.

*Railway  
measures*

New railway legislation was enacted and plans were made for the completion of the Intercolonial Railway, this being one of the conditions of confederation. Within six months work was begun on this road to connect Quebec with the maritime provinces and to fill in the blank stretches between those portions of the route which had been built at various intervals from 1853 to 1867. The British government guaranteed a loan of £3,000,000 at four per cent interest for the completion of the project, and in the enthusiasm of the moment, these bonds were oversubscribed at a premium. The Dominion government took over the roads built by the maritime provinces, and after much discussion on the proper route to be developed, completed the Intercolonial as a government system of 950 miles under the control of the department of public works.

*Organization  
of West*

One of the immediate and pressing problems was the organization of the great West lying between Ontario and British Columbia, and its incorporation into the Dominion of Canada. Westward expansion was discussed with great earnestness at the Quebec convention in 1864, and the British North America Act made possible the eventual admission of this great western region into the federation. At the time of confederation, the West was Indian country, the fur-trading preserve of the Hudson's Bay Company. It had been thoroughly explored and exploited since early times by rival French and English traders, and the fur-trading frontier had been moving constantly westward and northward. Rupert's Land and the Northwest Territories, as the West was known, belonged to the Hudson's Bay Company which, by virtue of its old charter of 1670, exercised governmental and property rights over it. All rival companies had been either crowded out or absorbed in the older corporation. Hudson's Bay Company posts dotted the interior, and the factors of the com-



pany were virtually monarchs of the territory which they supervised. It was, moreover, the deliberate policy of the company to discourage colonization and agriculture, and to encourage the intermarriage of whites and Indians—all in the interest of larger dividends from the fur trade. Roads and internal improvements were obviously unnecessary for a region where settlers were unwelcome.

By 1857, the only colony west of Ontario, not wholly dependent on the fur trade for its subsistence, was the settlement in the Red River valley, founded by Lord Selkirk, a Scotch landowner who planned to establish a refuge for discontented Scotch Highlanders in the wilds of what is now Manitoba. In 1811, Lord Selkirk had bought 100,000 acres from the Hudson's Bay Company in the valleys of the Red River and the Assiniboine. In spite of almost incredible hardships and the constant hostility of the rival Northwest Fur-Trading Company, Selkirk's settlement managed to survive.

*Lord Selkirk's colony*

In 1867, the population of the district of Assiniboia was about 12,000, one-half to three-fourths of whom were half-breeds, the offspring of the intermarriage of French traders and Indian women. Scores of "squatters" also made their way into the West and added to its population. The people of this country found employment in hunting and trapping, or in trading and hauling freight. Agriculture was extremely primitive. The village of Winnipeg (the Fort Garry of the Hudson's Bay Company), had begun to develop, and one little Roman Catholic church was located on the Red River to minister to the religious needs of the half-breeds and a few Indian converts. Already some of the Catholic clergy were dreaming of founding a new Quebec in the Red River valley as an outlet for the surplus French-Canadian population of the older province.

*Red River settlements*

The first step in the Dominion's program of westward expansion was the extinction of the title of the Hudson's Bay Company. McDougall and Cartier were sent to England for this purpose, and received the hearty support of the British government. An act of the British Parliament was passed as a result of negotiations, providing for the transfer of Rupert's Land and the Northwest Territories to Canada. The terms involved a cash payment of £300,000 by Canada to the Hudson's Bay Company, the reservation for the use of the company of two sections in each township, and some 50,000 acres in the immediate vicinity of the fur posts. In exchange, the company transferred, with the exception of its trading rights, all other exclusive proprietary and governmental rights to the Dominion together with "all other privileges, franchises, powers, and authorities."

*Bargain with Hudson's Bay Company*

In 1914 the Hudson's Bay Company was still deriving profits from its stores, from its fur trade, and from the sale of its lands in Canada. In that year alone, it disposed of 26,000 acres of farm land for nearly \$573,000 and town lots valued at \$131,170. Its dividends have frequently reached forty per cent, and in 1914 there were still over 4,000,000 acres of unsold land in the possession of the company. In

*Present status of company*

1920 the company celebrated the two hundred and fiftieth anniversary of its founding by King Charles II; it still continues as a prosperous business venture with investments in many other fields besides the fur trade.

*Extent of new  
acquisitions*

By the transfer of title referred to above, Canada acquired about 2,500,000 square miles of territory with a population of some 175,000 whites, half-breeds, Eskimos, and Indians. These negotiations apparently satisfied all parties except the inhabitants of the region concerned, and perhaps some of the employees of the Hudson's Bay Company. It was extremely unfortunate that the government neglected to prepare the way for this transfer of authority and title by preliminary negotiations with the residents, and still more unfortunate that the act of 1869 did not carry any guarantees as to the political and property rights of these newcomers in the Dominion.

*Trouble with  
Red River  
settlers*

December 1, 1869, was the date set for the official transfer of the West to the Canadian government. William McDougall was appointed lieutenant-governor of the Northwest Territory, and promptly issued a proclamation to the inhabitants announcing his authority. Surveyors were sent into the territory before the transfer had been officially completed, and land speculators followed them in a rush to seize the most desirable areas. The surveying system adopted for the Canadian West was the one in use in the United States by which land was laid off in rectangular plots. These frequently cut across the farms of the half-breeds, which extended back from the river fronts in narrow ribbons similar to the farms in Quebec. This arbitrary division, therefore, of the homesteads of the "squatter" population undoubtedly added to the suspicion and misunderstanding which was developing among the native population concerning the acts of the Canadian government. Friction resulted when working parties of surveyors encountered the natives whose protests to Ottawa were pigeonholed by a busy government for consideration at some later time. The old Hudson's Bay Company men assumed at best a very passive attitude and did little to dispel these misunderstandings, for, having worked hitherto on a profit-sharing basis, they were probably fearful that they would be forgotten when the stockholders of the company came to divide the purchase money obtained from the government. The situation required the utmost tact, a quality which seemed to be utterly lacking in all who were immediately concerned with the problem. Serious trouble was therefore inevitable.

*Louis Riel*

At this point the striking figure of Louis Riel, a French Canadian with some Indian blood, stalked across the stage of Canadian history for the first time. Riel was destined to remain a storm center of politics until his death. He had studied for the priesthood in his younger days, and had been discouraged from pursuing this career farther because of certain peculiar utopian ideas of religion and politics of which he became a fanatical devotee. Riel was able and

fairly well educated; when he settled on the Red River he became quite naturally a leader of the half-breed population living in that neighborhood. In the crisis of 1869, he was the spokesman for the discontented. It is difficult to fathom his innermost plans, for his mind trembled constantly on the brink of insanity. It is certain, however, that he stirred up the half-breeds to stop the surveying parties sent out by the government. Fort Garry was seized by his followers without much opposition from the Hudson's Bay Company men, Governor McDougall was forced to retire across the border into the United States, and his proclamations, designed to quell the disturbance, only served to add fuel to the spreading flames.

Riel called upon the inhabitants of the Red River country to elect a council and form a provisional government. On December 1, 1869, a bill of rights was adopted containing such perfectly justifiable demands as the right to elect a legislature, a liberal public land policy, a system of internal improvements, and representation in the Dominion Parliament—demands which the Dominion government eventually granted quite willingly and which, perhaps, should have been conceded in advance in order to avoid trouble. Unfortunately, some fighting occurred between the half-breeds and others who supported Riel and a small English group resident in the valley who regarded their opponents as traitors to the Dominion. At this stage of the controversy, Riel virtually assumed the rôle of president of a new state which he may have planned to make independent of the rest of the Dominion. For six months, the new régime continued without interference from any quarter.

*Red River  
rebellion*

Macdonald's Government now became thoroughly alarmed. Bishop Taché who was believed to have great influence over the Red River people was hastily summoned from Rome where he was visiting. A commission of three men was dispatched to the disaffected region to investigate the situation, remove misapprehensions of the Government's policies, and complete the transfer of the district from the authority of the Hudson's Bay Company to the Canadian government. The most important member of the commission was Donald A. Smith who as a lad had come to Canada from Scotland in 1838, had risen rapidly to a high position in the Hudson's Bay Company, and was later to become one of Canada's greatest railway promoters and capitalists and a member of the peerage as Lord Strathcona and Mount Royal. Smith made the hazardous journey to Fort Garry with all possible speed, but he was only partially successful in carrying out his instructions and ending the insurrection. He did, however, gradually undermine Riel's influence by a conciliatory policy which promised full provincial rights to the region when it should be ready for admission to the Dominion.

*Belated  
compromises*

The lamentable incident which brought matters to a crisis and induced the government to send an armed force to the Red River country was the execution of a young Canadian named Thomas Scott

*Execution of  
Scott*



who had persistently opposed Riel's provisional government, and had fought on the side of the small English party against Riel's régime. While an active member of this party seeking the overthrow of the rebel government Scott was captured, and after a very unfair trial was found guilty. Somewhat later when he struck the captain of the guard who had him in custody, he was condemned to death. His execution which was unnecessarily brutal and a crime against justice, stirred up a storm of rage, particularly in Ontario, where the murder of an Englishman and an Orangeman by a French Canadian served to revive all the smouldering anti-Catholic prejudices of the militant Protestants of the province.

*Olive branch  
and sword*

Bishop Taché arrived at Fort Garry four days after Scott's execution. By a promise of complete amnesty he induced Riel to release his prisoners. The flag of the Hudson's Bay Company now supplanted that of the rebel government over Fort Garry, and order seemed to be restored. The provincial legislature which Riel had summoned agreed to accept the terms offered by the Dominion government and to enter the Confederation. Macdonald's Government, probably because of criticisms of its lenient policy by the Ontario Protestants, now resolved to approach the rebels with an olive branch in one hand, and a sword in the other. The olive branch was the Manitoba Act, which the Government tardily drew up; the sword was a military expedition of twelve hundred men under Colonel Wolseley sent to enforce peace and order in the disaffected region. In most of the disaffected area Riel was still technically in power because the Hudson's Bay Company had not resumed its jurisdiction, and no government had as yet been provided by Ottawa. After a remarkable march of over 500 miles through an almost trackless country, Wolseley's force arrived before Fort Garry in August, 1870. Riel sought safety in flight and the rebellion collapsed immediately. Lieutenant-Governor A. G. Archibald arrived on September 2, and in January, 1871, the first provincial legislature for Manitoba was organized.

*Dealing with  
Riel*

So far as the arch-rebel was concerned, the Dominion Government decided to follow a policy of conciliation and mercy, and it was soon whispered about that Macdonald had paid Riel \$4000 on condition that he leave the country. At any rate Riel's temporary exile seemed the only way to avoid violent political controversies, since in the eyes of the majority of French Canadians Riel was a martyr, while to the Ontario Protestants he was a brutal murderer. In 1874 Riel caused further complications by being elected to the Dominion Parliament from Manitoba. On appearing at Ottawa to take the oath he was expelled from the House of Commons only to be reëlected five months later. Finally he was granted amnesty on condition that he absent himself from Canada for at least five years. These years of banishment were spent in the United States where Riel was three times confined in insane asylums at his own wish because of the



nervous troubles which came upon him with increasing frequency during his later years.

By the Act of 1870 Manitoba became a province of the dominion with a bicameral legislature and representation in the Dominion Parliament. Donald Smith was the first member to go from the new province to the federal House of Commons. Land grants were made to all the inhabitants and their rights were fully guaranteed. Because Manitoba entered the Confederation without a public debt which the central government could assume as had been the case with the older provinces, the Dominion Government and the province agreed on a sum upon which Manitoba was to receive five per cent interest. In addition, the province received a subsidy of \$30,000 a year and an allowance of eighty cents per capita until the provincial population should reach 400,000. Manitoba grew rapidly by immigration from the older provinces, from the United States, and from Europe. By 1881 its population was 180,000, and in 1891 it reached 250,000. It was soon discovered that the new province contained the richest wheat land in Canada.

*Manitoba Act*

When Manitoba was created a province, the rest of the West was organized as a territory under a lieutenant-governor and a council directly responsible to Ottawa. In 1874, the Northwest Mounted Police was organized to keep order in the Far West. In the 1880's the country west of Manitoba was invaded by the cattle-kings who drove their stock across the border from Montana and established ranches in present-day Alberta. Bull-trains and prairie schooners soon connected this region with Fort Benton at the head of navigation on the Missouri River. In 1882, four territories, Assiniboia, Saskatchewan, Alberta, and Athabasca, were created, and six years later, these territories were granted legislative assemblies. It was not until 1905 that the growth of population warranted the consolidation of these units into two provinces, Alberta and Saskatchewan.

*Far West*

By 1873 the Dominion and the provincial governments were spending over half a million dollars annually to encourage immigration. A law was passed granting homesteads of 160 acres to actual settlers after three years' occupation, reserving sections of land for educational purposes, and permitting the purchase of as much as 640 acres at one dollar per acre. Under these conditions Winnipeg grew from 300 people in 1870 to 3000 in 1876. The real settlement of the West, however, awaited the completion of a Pacific railroad.

*Westward movement*

Closely related to the problem of the acquisition and government of the West was the Indian policy of the Dominion. In the early decades of the nineteenth century Indian affairs were considered an adjunct of the military department and were under the direction of British officials. Full control of Indian affairs was transferred to the Dominion in 1867, and in 1868 the Canadian Parliament passed its first law dealing with Indian relations. The policy adopted looked toward the gradual extinction of the Indian title to the West. This

*Indian policy*

was accomplished by a series of treaties with the natives setting aside Indian reservations on the basis of one square mile for each family of five and providing a graduated scale of annuities. In return for the Indian's pledge to preserve the peace and accept the jurisdiction of the white man's government, Canada undertook to provide schools and to furnish agricultural implements, annual supplies of ammunition, fishing nets, and twine. The Canadian government has not only observed these treaties to the letter but has always interpreted them in a spirit of liberality and fairness. As the buffalo herds disappeared, the government after 1879 assumed the additional obligation of furnishing temporary rations for the natives. The agents of the Indian service exercise a paternal control over their charges.

*Estimate of its  
success*

In more recent times as Indian reserves have become too large for the needs of the tribes, the excess lands have been sold and the proceeds transferred to an Indian Trust Fund managed by the government. From this the Indians either collect the interest, or make loans to build houses or to improve their farms. By 1910 the government was spending nearly \$550,000 annually for Indian schools, much of it in the nature of per capita grants to religious schools. When an Indian returns to his people from one of these schools, it is the duty of the Indian agent to help him get a farm and generally to guard his rights. In Ontario some of the Indian tribes have now been completely absorbed by the whites. Many Indians find work in the lumbering and canning industries, on farms, and in the mines. Canada's history in striking contrast with the bloody Indian annals of the United States has been singularly free from Indian wars. Even the Sioux, regarded as one of the most warlike of the tribes inhabiting the western part of the United States, became a peaceful and law-abiding people when they migrated to Canada.

*Progress of  
Indians*

Since 1898 Indians not resident on reservations have been subject to the franchise regulations of each province like any other residents, and in most provinces may vote if they meet the requirements. Special concessions have been made for Indians serving with the Canadian forces. By 1926 the total number of Indians in the Dominion was nearly 105,000. These owned real and personal property valued at \$74,502,629, and their total income for 1925-1926 was \$10,189,696. The Indian Trust Fund in this same year reached a total of \$12,418,460, an increase of over \$250,000 over the preceding year. As evidence of their state of civilization, it is significant to point out that the Indians' labor wages far exceed their income from hunting and fishing. In 1926 there were 1570 Indian reservations containing an area of almost 5,000,000 acres throughout the Dominion. These are under the control of the Department of Indian Affairs at Ottawa. Educational facilities have been increasing, and for the year 1925-1926 the cost of Indian education was nearly \$2,000,000. The great majority of the Indians have at least formally accepted some kind of Christianity, the Catholic Church claiming by far the greatest number of

converts. The Indians today follow many varied occupations. In the three prairie provinces 2500 are employed in agriculture; 106,007 acres of land were under cultivation by Indians in 1926; it has been further estimated that the Indians of these provinces own 26,000 head of cattle. Finally it may be noted that during the Great War, 4000 Canadian Indians saw active service overseas.

The admission of the province of Manitoba was but the first step in rounding out the natural boundaries of the Dominion. Since early in the nineteenth century, a British colony had been developing slowly but successfully on the Pacific coast. When the Oregon boundary dispute with the United States was settled in 1846, the Pacific coast was still under the control of the Hudson's Bay Company, and was divided into the three divisions of British Columbia, Vancouver Island, and Stikeen Territory. In 1863 gold was discovered on the Pacific coast, and the inrush of prospectors led to the union of British Columbia and Stikeen Territory under a partly elective legislative council. Vancouver Island had already progressed farther toward self-government. Due to commercial troubles between the two sections, they were united in 1866, and in the following year the legislative council of British Columbia sought admission to the Confederation of Canada on terms which included the assumption of a debt of \$1,500,000 by the Dominion, an annual subsidy from the federal treasury, and the completion within two years of a wagon road from Lake Superior westward. At the time when these first overtures were made it is interesting to note that a large and influential group in British Columbia preferred annexation to the United States.

*Pacific  
settlements*

In 1870 negotiations came to a head in an agreement which admitted British Columbia to the Dominion with full provincial status, arranged for a debt allowance, an annual grant of \$30,000, and an eighty cents per capita grant until the population should reach 400,000. In addition, the Macdonald Government promised to begin a railroad to the Pacific Ocean within two years and to complete the project within ten years. These terms were ratified by the people of British Columbia at a general election, and on July 20, 1871, the province officially became a part of the Dominion of Canada.

*British  
Columbia enters  
Dominion*

Prince Edward Island did not enter the Confederation until July 1, 1873. The main reason for its change in attitude was the crushing burden of its railroad debts and its difficulty as a small province to attract additional capital. The Dominion government agreed to assume the burdens of this province and to incorporate the Island Railway as part of the Dominion government's railroad system. In addition, the federal government promised to establish a telegraph and to maintain steamship service between the mainland and the island all year round, and further to advance a special sum to the provincial government so that the claims of its absentee proprietors might be liquidated. The usual annual subsidies and per capita grants were allowed as in the case of the other provinces.

*Prince Edward  
Island ratifies*



*Canadian-  
American  
relations*

Another task which fell to the lot of the Macdonald Government was participation in the diplomatic settlements relative to the friction and controversies engendered by the Civil War between the United States and Great Britain. The chief point at issue was the effort of the United States to collect an indemnity for damages inflicted upon United States commerce during the Civil War by the *Alabama* and other Confederate cruisers built in British ports. In addition, the disputed boundary in the Portland Channel in the extreme northwest of the United States, the fisheries question, and Canada's claim for compensation for damages inflicted by the Fenian raids into Canadian territory required settlement. Because the last three issues were of particular concern to Canada, the Canadian prime minister was attached to the British commission of five charged with the settlement of these controversies.

*Fisheries*

Upon cancellation of the Elgin Reciprocity Treaty in 1866, the fisheries question had automatically reverted to the settlement of 1818. By this earlier arrangement, it will be remembered, the Americans had been admitted to the inshore fishing rights on certain coasts, but had been excluded from others, and United States fishermen were compelled to secure licenses and pay small fees annually for these privileges. In 1868 the Canadian government raised these fees considerably, and when Americans began to evade the law the entire license system was abolished in 1870, and Canadian cruisers were sent to protect the fisheries from the Americans. As a consequence, United States vessels were seized under rather irritating conditions. President Grant laid the whole matter before the American Congress in a sharp message. It seems that the Canadian government was using its power over the fisheries as a lever to force the renewal of the cancelled reciprocity agreement.

*Boundary  
controversy*

The boundary controversy in the Northwest involved principally the possession of the island of San Juan in the Portland Channel. In the matter of the Fenian raids already discussed in an earlier chapter, Canada seized the opportunity to insist on damages for these unwarranted invasions of her territory.

*Treaty of  
Washington*

All these disputes were eventually settled in the Treaty of Washington of 1871, a landmark in the history of the settlement of serious controversies by arbitration. The treaty provided various methods for the adjustment of these causes of friction. We need consider here only those provisions of the treaty which concerned Canada directly. As has been said in an earlier chapter the northwest boundary dispute was referred to the German Emperor for settlement; his award was favorable to the United States. The Atlantic fisheries were opened to the United States for at least twelve years, the cash compensation to be paid Canada for this privilege to be determined by a commission to meet at Halifax. In 1877 Canada was awarded \$5,500,000 as the excess in value of Canadian fishing rights granted to Americans over those granted Canadians in American waters, and the United States



grumblingly paid this amount. The United States received the right to navigate the St. Lawrence River in perpetuity and without fees while Canada was granted the free navigation of Lake Michigan, the Yukon River, and some of the rivers in the extreme northwest of the United States. In addition, each nation received the right to ship goods in bond through the other's territory. Compensation for the Fenian outrages was dropped altogether, in spite of Macdonald's insistence upon Canada's claims. The Canadian prime minister received no support from the British government on this point, for the latter evidently preferred to sacrifice this issue in the interest of harmony on other matters which were considered of more vital consequence. The most the British government, then under Gladstone's leadership, would promise was the guarantee of a loan for Canadian defenses.

Macdonald returned to Canada bitterly disappointed because of what he considered the unjustifiable sacrifice of Canadian interests to larger British policies. The treaty settled everything, he observed ironically, "no matter at what cost to Canada." Before the Canadian Parliament, however, the prime minister defended the settlement, "for the sake of peace, and for the sake of the great Empire of which we form a part."

*Canada's  
reaction*

The first five years of the Macdonald Government were marked by great achievements of which those noted in this chapter are only the most important. These measures were not carried without opposition and criticism both in Parliament and in the Dominion. Scott's murder during the Riel rebellion and Macdonald's apparent unwillingness to punish the rebel leader made many enemies for the Macdonald Government among the militant Orangemen of the province of Ontario. In all the English provinces, in fact, Macdonald's leniency and his alleged mismanagement of the Red River rebellion gave rise to the charge of pro-French influences in the Government. The Conservatives, as Macdonald's followers were now generally known, were defeated in the Ontario provincial elections, and Edward Blake, the leader of the Liberal opposition, was elected head of a provincial ministry at Toronto which proved a constant thorn in the flesh of the Dominion authorities at Ottawa. Under the leadership of Blake and Alexander Mackenzie, the Liberals had slowly withdrawn from Macdonald's coalition and had been welded into a vigorous Opposition. In the maritime provinces there was still a strong group opposed to confederation. Many Canadians disliked the opportunistic methods of "Old To-morrow" as Macdonald was called because of his belief that time and delay would solve most problems. Because of its sacrifice of Canadian interests the Washington Treaty of 1871 proved unpopular in many sections, while Macdonald's absence at Washington, followed almost immediately by a period of illness, lessened the grip of the master politician on party affairs.

*Party politics*

The general elections of 1872 returned Macdonald to power, but with a greatly reduced majority. Mackenzie and Blake, who had

Elections of  
1872

relinquished the premiership at Toronto in order to take a seat in the Dominion House of Commons, led a vigorous Opposition at Ottawa. Shortly after the election the storm broke which was to drive the Conservatives from power.

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## CHAPTER XX

### THE LIBERAL ADMINISTRATION OF ALEXANDER MACKENZIE

MACDONALD's triumph in the elections of 1872 proved short-lived, for the Government had hardly entered upon its new lease of power when a storm of scandal broke in the House of Commons and in a few months drove the Conservatives from office. This political upheaval was occasioned by the intimate connection between the leaders of the Conservative party and the promoters of the proposed Canadian Pacific railway which was to connect the rest of the Dominion with the Pacific province of British Columbia. *Short-lived triumph*

It has been pointed out that one of the terms upon which British Columbia entered the Confederation was a pledge by the Dominion government to complete a railroad to the Pacific coast within ten years of the date of admission. Such a transcontinental railroad was imperatively necessary for the realization of Canadian nationhood since communications with the West were unbelievably slow. As late as 1841 the speed record from ocean to ocean in Canada was three months. By 1869 the United States had completed its first transcontinental railway, which served as a new stimulus for the project to bind the Dominion by bands of steel and to promote the rapid settlement of the vast unoccupied area between the isolated Pacific communities and the other provinces. *Plans for transcontinental railroad*

The first Macdonald Government had given serious consideration to various proposals for a Pacific railroad for some time before the elections of 1872, and had reached the conclusion that a government railroad would be too costly, and that the best chances for early success lay in a private road subsidized by the government. The first offer to build a road under these conditions came from a group of United States capitalists and promoters including such distinguished men as Jay Cooke, the greatest banker of his time, General Lewis Cass, a former candidate for the American presidency, and W. G. Fargo, long interested in western transportation problems. Closely associated with these American promoters was a group of Canadian capitalists headed by Hugh Allan of Montreal, the founder of the Allan steamship lines. Competing with Allan's group were a number of Toronto capitalists headed by David L. Macpherson, who had organized the Inter-oceanic company. The Macpherson interests stressed the fact that they represented a purely Canadian enterprise while Allan's Canada Pacific company had to keep its United States connections *Competing for charter*

secret in order to avoid charges of "Yankee dictation" and intervention in Canadian affairs.

*Government's  
railroad project*

In 1872 Macdonald submitted the Government's railroad project to Parliament. It involved the building of the Canadian Pacific from Lake Nipissing to the Pacific by a private company with substantial aid from the government. The Conservatives planned to give the company fifty million acres of land in alternate blocks twenty miles deep on each side of the roadway, the government to retain the intervening sections. In addition, the company was to receive a \$30,000,000 cash subsidy to build branch connections to Lake Superior and to the American border.

*Rival  
companies*

Immediately after announcement of these plans, intense rivalry developed among the companies contending for the charter rights to construct the railway. The Government announced that it would grant the charter to the Canada Pacific, the Inter-oceanic, or to any other company which could satisfy the Government that it was best fitted to carry out the contract in the shortest possible time. After the elections of 1872 the charter was awarded to Allan's company apparently on condition that it immediately sever its connection with financial interests in the United States. When the company tried to comply with this request the American interests associated with it became dissatisfied, and it is from this source that the Liberal Opposition seems to have obtained the information which eventually led to a parliamentary investigation and to the fall of the Macdonald Government.

*Canadian  
Pacific scandal*

Early in the session of 1873 Lucius Seth Huntington, a Liberal member from Shefford, Quebec, rose dramatically from his seat in the Commons and announced that he had damaging evidence against the Government to the effect that Allan and the United States capitalists associated with him had contributed huge sums to the Conservative party coffers in order to influence the election of 1872 and secure the railroad charter for their company. A motion for an investigation was defeated by a strict party vote. Macdonald with his back to the wall fought desperately to avoid any kind of an investigation except one which he himself could control. On July 3, 1873, Parliament was adjourned until August 13. During the interval new evidence came to light. A Montreal newspaper published letters which had passed between Allan and George W. McMullen, a Chicago capitalist, and which had been stolen by the clerk of Allan's attorney. McMullen then gave his version of the transactions to the press, and published letters and telegrams from Macdonald, Cartier, Abbott, and other Conservative leaders clearly establishing the fact that they had drawn liberally on Allan to finance their campaign for reelection. Macdonald's most damaging telegram to Allan read: "Immediate, private. I must have another ten thousand—will be the last time of calling. Do not fail me. Answer to-day." Allan, of course, had used methods which were not at all uncommon in an age



when "big business" was beginning to lean upon governments for valuable privileges. By a careful distribution of stock where it would do the most good, by putting those who required conciliation on the board of directors, and by judicious campaign contributions, Allan had hoped to smooth the way for his company. Donald A. Smith, for example, who was very influential in the affairs of the Hudson's Bay Company, received a place on the board of directors of the railroad because it seemed desirable to enlist the support of his company, and also because as Canada's greatest capitalist, he could help raise money in the London stock market.

Parliament reassembled amid tremendous excitement. To forestall an investigation it was again prorogued and a royal commission was appointed to sift the facts. This commission was virtually a hand-picked body which Macdonald hoped to control. Eventually Allan admitted campaign contributions of \$350,000. Macdonald, however, insisted that these contributions had been accepted not to influence the granting of the charter but to insure the reelection of his party so that its general railroad policy might not be jeopardized. The prime minister also claimed that he had been forced to collect campaign contributions because the Liberal Government of the province of Ontario was using the patronage in an unwarranted and corrupt fashion to influence the election. Parliament reconvened in October, 1873, and Alexander Mackenzie, the leader of the Liberals, moved a vote of censure upon the Government. After two weeks' debate it became apparent that not even so skilled a parliamentary fighter as Macdonald could avoid defeat. Even Smith, who was personally interested in the Canada Pacific Company, was apparently overwhelmed by the evidence and voted with the Opposition against Macdonald. This change of heart was especially irritating to Macdonald, who made the characteristic retort that he "could lick that man Smith quicker than hell could frizzle a feather." On November 5, without waiting for the passage of a formal vote by Parliament, Macdonald and the Conservatives surrendered control of the government.

*Campaign  
contributions  
and fall of  
Macdonald*

The formation of a new cabinet was entrusted to Alexander Mackenzie. Mackenzie was in many respects a remarkable man with those qualities of industry, perseverance, and downright honesty which make a man great even though he may not be brilliant. Born in Scotland, he had left school at thirteen to work at the trade of stone-cutter and at the age of twenty, in 1842, he had emigrated from Scotland to Canada. By reading and study he soon acquired the education of which social conditions had robbed him in his younger days. Mackenzie was a stern Baptist, a temperance advocate, and a man of rugged honesty with a flair for reform. After working for a time as a contractor and a newspaper editor, he entered politics in 1861 as a member of the provincial legislature of United Canada. Edward Blake, second in command of the Liberal forces, and in rather

*Alexander  
Mackenzie*

sharp contrast with their leader, was the son of an Irish immigrant. Blake was a graduate of the University of Toronto and a man of powerful intellect endowed, however, with an unfortunate hypersensitiveness which quickly became a serious handicap to him as a practical politician. In 1867 Blake had been elected to a seat in both the federal government and the provincial parliament of Ontario, and four years later he had assumed the duties of prime minister of that province.

*Liberal  
ministry*

In the new ministry Prime Minister Mackenzie assumed the duties of head of the department of public works, a position which soon proved so burdensome that it became impossible for him to maintain adequate contacts with his party and with the voters. Richard J. Cartwright served as minister of finance and Antoine Dorion as minister of justice, while Blake, at first, was a member of the cabinet without portfolio. Four years after the inauguration of the Liberal régime Wilfrid Laurier, a brilliant young French Canadian, entered the cabinet as minister of inland revenue. He was then just thirty-six years of age, but he had already attracted attention as the champion of a political liberalism which sought to reconcile Liberalism in politics with adherence to orthodox Roman Catholicism.

*Weakness  
of new  
Government*

Parliament was dissolved soon after the fall of Macdonald, and in January, 1874, the Liberals won an overwhelming victory in the general elections with a majority of about eighty in a house of 206. Despite this apparent success the Government and the Liberal party were handicapped in their new duties in many ways. As the Opposition party they had not evolved a definite program upon which all members could agree. In fact, the only bond holding the diverse elements of the party together was a common distrust of Macdonald. Leadership in the new Government was virtually divided between Mackenzie and Blake and, with the latter's sensitiveness and self-assertion, this state of affairs could easily lead to serious difficulties. Mackenzie himself soon became so engrossed in the attempt to administer the manifold duties of his department efficiently and honestly that he neglected altogether to keep in touch with the currents of public opinion upon which his lease of power depended. Finally, the Liberals had the misfortune to assume office at a time when Canada was suffering from serious economic depression, unemployment, and a general falling off in revenues following the panic of 1873. This panic, like others, came to Canada from Europe and the United States, and resulted in at least six years of business stagnation and falling prices, and was further aggravated by the practice of the United States of "dumping" its surplus products on the Canadian market and selling them at a loss in order to keep prices up at home. Obviously the economic depression of the 1870's could in no sense be attributed to the Liberals, but rather was the result of fundamental conditions which neither party could do much to control.

In spite of this discouraging situation Mackenzie's administration

could boast a fine record of real achievement. The General Election Law of 1874 introduced voting by ballot in Canadian elections, abolished property tests for membership in the Commons, and eliminated many opportunities for corruption by providing for simultaneous elections throughout the Dominion. In 1875 a law was passed creating a Canadian Supreme Court and the Court of Exchequer with civil and criminal jurisdiction. This measure was sponsored by Blake, now serving as minister of justice, and originally contained a clause prohibiting appeals to the judicial committee of the Privy Council in England unless imperial interests were directly involved. This provision was withdrawn however after a warning from the imperial cabinet to the effect that the Canadian government possessed no such prohibitory power. An act determining the territorial government of the Northwest, excluding Manitoba, was passed, as well as legislation dealing with the homestead policy for the disposal of public lands. The Public Accounts Audit Act was intended to make the auditor of the public accounts independent of the ministry temporarily in power. In 1878, in response to a rising agitation for prohibition, and as the result of a report of a committee sent to the United States to study various state experiments in prohibition, the Canada Temperance Act was passed, permitting, on petition of the voters, local option elections by counties, on the liquor question.

*Mackenzie's  
record of real  
achievements*

In the realm of external affairs, the most important act of the Mackenzie Government was the attempt to make a new reciprocity treaty with the United States. George Brown, now a senator, was dispatched to Washington to coöperate with the British minister in an effort to secure a treaty which coupled fishing rights with a reciprocal trade agreement for natural products and for many manufactured articles as well. In 1874 President Grant submitted the proposed treaty to the United States Senate near the close of its session, but that body refused to ratify the arrangement. Mackenzie, in international relations insisted as a matter of policy upon the right of Canadian representation on all diplomatic missions involving Canadian questions.

*New  
reciprocity  
proposals*

Macdonald's Pacific railway project had collapsed as a result of the scandals of the campaign of 1872. Allan's company disintegrated, financial difficulties multiplied, and the company for the time being abandoned all hope of pushing through its plans. The first railroad proposal of the Mackenzie Government was to utilize the great water route from Lake Superior westward as links in the projected transcontinental road, thus advancing the date for completion of the project and also materially reducing the cost. In 1874 Parliament authorized the construction of the Pacific railroad as a government enterprise, if this plan should prove feasible. The Government later tried to enlist the interest of a private company by offering a subsidy of \$10,000 and 20,000 acres of land for every mile built and by a

*Railroad  
policy of  
Liberals*



guaranteed interest rate on the railroad securities for twenty-five years. No group of capitalists could be found who considered these terms sufficiently attractive, and the Government itself finally let a contract for the construction of 227 miles of road as a public undertaking. By 1878 the strip of road from Pembina to Winnipeg was finished.

*British  
Columbia*

The Conservatives fretted about the vacillating policy of the Government and charged the latter with failure to appreciate the necessity of completing the transcontinental line with the greatest possible speed. British Columbia became restless and appealed to both the Dominion and the imperial governments for a fulfillment of the terms of the contract under which it had entered the Confederation. In 1876 Lord Dufferin, the governor-general, journeyed to the Pacific province in order to effect a compromise and to check a rapidly rising secessionist movement in British Columbia. He was successful in his mission, and the province waited patiently for the new elections of 1878 which, it was hoped, would return Macdonald and the Conservatives to power. Before the end of his régime Mackenzie had the satisfaction of seeing the Intercolonial Railway completed in the eastern half of the Dominion and formally opened in 1876.

*Mackenzie as  
party leader*

As the elections of 1878 approached, Mackenzie confidently expected to secure the approval of the people for the policies of his administration. No one ever administered the difficult and important department of public works with more painstaking care and downright honesty than Mackenzie; his term of office had been absolutely free from suspicion and scandal. Unfortunately for his followers, the prime minister had paid little attention to those duties by which practical politicians keep their supporters enthusiastic and loyal to their party. He depended solely on the appeal which his record of achievement as an administrator might make to the conscientious and public-spirited voter.

*"National  
Policy"*

The great issue by which Macdonald and the discredited Conservatives hoped to return to power was the "National Policy," the "N. P.," which was fundamentally and principally the policy of high protective tariffs, although other features were shrewdly coupled with this proposal in order to build a nationalist program which would appeal to all Canadians who believed in the great possibilities of their country. The protective tariff idea in revenue measures had been introduced as early as 1858 in United Canada, and the incidental protection which various articles enjoyed sometimes ran as high as twenty per cent. The first Dominion tariff of 1867 had been in the direction of lower duties, with reductions on many manufactured articles and an extension of the free list. It retained, nevertheless, the protectionist principle, and duties averaged about fifteen per cent.

The stimulus for greater protection, and the inspiration for Macdonald's "National Policy" came largely from the panic of 1873. The



years from 1869 to 1873 were years of prosperity in which manufacturing grew rapidly, banking capital and railway mileage doubled, the government's revenues steadily mounted, and Canada's exports to Great Britain doubled. The panic of 1873 burst the bubble, and Canada entered upon six gloomy years of depression. To meet the falling off in government revenues the Liberals had increased the tariff from an average of fifteen to seventeen and a half per cent, but this was done as a revenue measure and not for purposes of protection. In 1874 an attempt to restore prosperity by renewing the reciprocity arrangements with the United States resulted in failure.

*Reasons for  
"N. P."*

As the effects of the panic continued unabated, it became clear to the Conservatives that a protective tariff argument, if presented in the name of a new "National Policy," could be made the leading issue between the parties in the election of 1878. So far as Macdonald is concerned, there is evidence that he had accepted the protectionist doctrine as early as 1846. There seems, moreover, to have been considerable doubt for a time as to whether the Liberals or the Conservatives would be the first to seize upon the new issue and make it the battle-cry in the coming campaign. A slight increase of the tariff by the Liberals might have sidetracked the issue, but Mackenzie stubbornly refused to deviate from his low-tariff principles. His free-trade views were undoubtedly strengthened by the feeling that a change in the direction of greater protection might ruin the Liberal strength in the maritime provinces, and that protection would prove injurious to the interests of the masses of consumers. Mackenzie, it is apparent, failed to sense among the people the growing opinion in favor of protection.

*Parties and  
tariff*

By skilfully conducted agitation, Macdonald proceeded to make political capital for the "N. P." All the devices of the practical politician were used; Macdonald and his supporters for two years before the election of 1878 toured the country, preaching the new gospel of protectionism at mass meetings and political picnics. All the stock arguments of the advocate of high tariffs were repeated from a hundred platforms. It was argued that Canada's infant industries needed protection until they could meet the competition of their more lusty and longer-established rivals in the United States. Canada should become a self-sufficing nation. To arguments like these the organized manufacturers of Ontario gave their keen support. The farmer was urged to support protection in order to develop a stable home market for his products. Much emphasis was laid on the rapid industrial transformation of Canada's southern neighbor since the Civil War, and this economic revolution was attributed to the protective tariff policy of the United States. It could be maintained, moreover, with some plausibility, in the face of the recent refusal of the United States to make a new reciprocity agreement, that the only way by which Canada could force her neighbor to bargain for commercial concessions was by erecting a tariff barrier of her own.

*Advertising  
"N. P."*

Such a procedure would end the American practice of using Canada as a dumping ground in times of overproduction in order to keep prices up in the United States. Finally, the "N. P." provided a splendid opportunity for an appeal to the rising spirit of Canadian nationalism. It appealed as a policy to Canadian patriotism and seemed to provide the means for knitting the provinces more closely together into a firm commercial union.

*Other aspects of  
"National  
Policy"*

Intimately connected with the advocacy of a new tariff was a promise by the Conservatives to inaugurate a new era of internal improvements which included projects to develop a canal and railroad system wholly within Canadian territory for the transportation of Canadian products to the sea, and also a plan to stimulate immigration and the rapid opening of the West. The "National Policy" seized the Canadian imagination and became the keystone of Canadian policy for a generation. Within a few years the Conservative party became the traditional high-tariff party, while the Liberal party necessarily advocated a policy of freer trade. The principle of protection became ingrained in large elements of the Canadian population so firmly that when the Liberals returned to power many years later they neither cared nor dared to make radical changes in the tariff system.

*Liberal defeat*

The Liberals entered the campaign of 1878 much weakened by factional differences; their leaders had neglected to keep in touch with public opinion, and the continued economic depression in the Dominion served as an insurmountable obstacle to success. The Conservatives won a sweeping victory. In Ontario they captured twice as many seats as the Liberals. Quebec voted Conservative, largely because the Conservatives had taken advantage of a great movement among the Catholic leaders to exterminate political liberalism along with other modernist tendencies. Many of the clergy did not hesitate to use spiritual penalties to induce the faithful to vote for the Conservatives. Nova Scotia, Prince Edward Island, British Columbia, and Manitoba went almost solidly for Macdonald.

*Macdonald's  
return to power*

In the new House of Commons the Conservatives had a majority of eighty-six. They remained in power for the next eighteen years. For thirteen of these years the party was under the adroit leadership of its "grand old man," and during this period Canadian political history is to a large measure the biography of John A. Macdonald. Probably no other Canadian leader ever dominated the political arena and captured the hearts of the people as did Macdonald in these years when he was at the height of his power. He never abandoned the rôle of the opportunist and did little to raise the ethics of Canadian politics. He managed, nevertheless, to achieve much that was fundamentally constructive for the sound development of the Dominion. In 1880 Alexander Mackenzie resigned as leader of the defeated and somewhat demoralized Liberals, giving failing health as his reason.

His first lieutenant, Edward Blake, succeeded him as the titular head of the Opposition.

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## CHAPTER XXI

### THE AGE OF MACDONALD

*New cabinet*

IN MACDONALD'S new cabinet, the prime minister assumed responsibility for the department of the interior, S. L. Tilley, a former prime minister of New Brunswick, became minister of finance, H. L. Langevin, representing the French-Canadian element, assumed the duties of postmaster-general, and Mackenzie Bowell became minister of customs. Dr. Charles Tupper, who had returned to his medical practice after the Pacific Railroad scandal, reëntered the cabinet as minister of public works.

*Tariff  
legislation*

The Conservatives, true to their campaign pledges, at once inaugurated a series of hearings to gather information for the formulation of a new tariff measure. The manufacturers and other interested elements promptly descended upon Ottawa and were invited by the Government to make their needs and wants known. The resulting protective tariff act, which was passed, rested virtually on the theory that the manufacturers should have all they asked for. The Liberal opposition denounced the new tariff as a flagrant example of class legislation. The duty on cotton goods was raised from seventeen and one half to thirty per cent, and on woolens and sugar it was doubled. The rates on boots and shoes and rubber products were increased to twenty-five per cent. A duty of two dollars a ton was provided for pig iron which had hitherto been on the free list, and great increases were made in the protective rates on iron and steel products. To pacify the farmer, wheat, barley, and corn were put on the list of dutiable articles and protection for Canadian live-stock was increased one hundred per cent. By substituting specific for *ad valorem* duties, the rate of protection on many dutiable articles was still further increased.

*Prosperity*

Interestingly enough, the economic depression, which had held Canada in its clutches since 1873, came to an end shortly after the Conservatives returned to power. To the delight of the country, good times returned and the party which sponsored the "National Policy" reaped the political benefit. The return of prosperity, however, could hardly be attributed to the new tariff legislation. It was part of a world-wide movement of prosperity and was accentuated in Canada by a series of good harvests and by bad ones in England, by a great boom in the West, and by the revival of the lumber trade with the United States. Without discussing details, it may be added that the general tendency in tariff legislation to the early 'nineties was



an upward revision of duties. Obviously as long as prosperity continued there was little disposition to tamper with the "N. P."

In 1880 Macdonald negotiated a new agreement for the completion of the Canadian Pacific railroad. A new group of capitalists was organized with important financial connections in London and New York. Among the leaders of the new syndicate were Donald A. Smith, his cousin, George Stephen, president of the Bank of Montreal, and James J. Hill, a native of Ontario destined to become famous as a railroad promoter in the United States. In 1880 Macdonald journeyed to London to induce English capitalists to invest in the project, and the agreement between the Government and the new Canadian Pacific Company, though actually executed and approved by the Dominion Parliament at Ottawa, was really made in London.

*New railroad  
agreement*

The concessions made by the Government to induce this new company to undertake the completion of the transcontinental road were granted with a lavish hand although, in the long run, the rapid completion of the road was probably worth all it cost the Canadian taxpayer. By the terms of the contract the company received a cash bonus of \$25,000,000 and 25,000,000 acres of land. In addition, the company received outright more than 700 miles of road which had already been built at a cost of something like \$35,000,000. Land grants were made to the company in alternate sections with the right reserved to the railroad to select other blocks if these sections proved unfit for settlement and sale. Land for the roadbed, station houses, docks, and other necessary equipment was also donated by the government, and all materials needed in construction were to be admitted free of duty. All grounds, capital stock, and rolling stock were exempted from taxation, and the Government agreed to keep any competing company from building a road south of the main line of the Canadian Pacific in western Canada for at least twenty years. On the strength of these lavish promises of support, the company agreed to complete the remaining nineteen hundred miles of track necessary to link the Atlantic with the Pacific.

*Canadian  
Pacific contract*

The announcement of these liberal terms precipitated a storm of protest and indignation from the Opposition even more violent than the attack on the tariff policy of the Government had been. Blake thundered against a contract which virtually gave monopoly powers to a private company, and put the Canadian West at its mercy. It was pointed out that under the contract the Government could not regulate rates until the company was able to pay ten per cent dividends on all its capital and that the people were really building the road and presenting it as a gift to a group of private capitalists. Objection was also raised to the reservation of so many acres of railroad land on the ground that this would retard westward expansion. In spite of these and other objections, the agreement was easily ratified by Parliament, and the people, in a burst of optimism and faith in the future, generally approved the bargain.

*Criticisms of  
project*

*Financing  
railroad*

The completion of the railroad is one of the romances of Canadian history. It was uphill work for the promoters; undreamed-of obstacles were encountered, but the company, led by a few dauntless spirits such as Stephen and Smith, adhered fearlessly to its task. There were times when funds in the treasury of the company ran so low that it seemed impossible to continue the work for more than a few days, and the promoters were in immediate danger of losing all of their personal fortunes. In spite of the liberal terms of the charter, the Government had to lend the company an additional \$27,500,000 to insure the completion of the enterprise, and there were critical moments when it required all the skill of the promoters to keep the enthusiasm of the Government alive. On occasion the company resorted to such tactics as juggling its capital stock, and paying dividends out of current funds in order to keep the work from collapsing. In 1882 James J. Hill sold all his holdings and withdrew from the venture and by 1886 the stock of the company had dropped to \$33.75 a share.

*Building road*

The work of the engineers and builders was no less heroic than that of the financial promoters. Trestles had to be constructed over turbulent mountain streams and dangerous gullies. In the mountain sections snowsheds were necessary to protect the track and the gangs of workers from great avalanches of snow and ice which swept down into the valleys. Yet in the face of difficulties and discouragements the work went steadily forward. In 1882 the builders averaged two and a half miles of track per day, and there was one three-day period when twenty miles of track were laid. On November 7, 1885, Donald A. Smith, at Craigellachie in the Rockies, drove the golden spike which held the last tie in place, and the first through train over the Canadian Pacific left Dalhousie Square Station in Montreal on June 28, 1886, on its 2905 mile journey to Vancouver over what was then the longest railroad in the world. The road was actually completed five years before the time limit fixed in the contract. The chief engineer of this gigantic undertaking was William Van Horne. The route proceeded around Lake Superior to Lake Winnipeg, thence through the Indian country toward the Rocky Mountains, through the Kicking Horse and Rogers Pass, and down the Fraser River valley to Vancouver.

*Progress of  
Canadian  
Pacific*

In a certain sense the real troubles of the Canadian Pacific began with the completion of the road. The road had been built far ahead of settlement and could not expect a profitable business for years. Buffalo bones bleaching on the western plains were loaded in cars to be shipped eastward in lieu of other freight. An extensive immigration propaganda was carried on by the government and the company to provide settlers for the West and traffic for the road, and the company tried hard to lure passengers over its route by advertising the glorious scenery along the way. Eventually the Canadian Pacific began to expand eastward and to absorb smaller lines and build

feeders in the West. Today it is one of the most remarkably successful transportation companies in the world. It was the only Canadian railroad system which was able to withstand the shock of the Great War and consequently was not absorbed into the Canadian National system.

The Dominion government has continued its interest in the development of a network of railroads to the present time, and has granted subsidies to many short lines and to many local companies, a practice in which political pressure has often played a more conspicuous rôle than economic necessity.

*Railway  
expansion*

In 1882 when the term of the Macdonald Parliament automatically expired, the Conservatives could turn to the country with all the prestige of the "National Policy," the Canadian Pacific agreement, and returning prosperity to make their party popular at the polls. To make success doubly certain the Conservatives took advantage of the census of 1881 to pass a bill for the redistribution of seats in the Commons. Macdonald made the most of the opportunity while the Liberals protested violently, but in vain, against a measure which ignored many of the old county lines in the Liberal strongholds of Ontario, and "hived the Grits," as Macdonald cynically called the process, in such a way as to reduce materially the representation of the Opposition in Parliament. The process was a skilful application of the "gerrymander" which had become fairly common by this time in the political history of the United States.

*Elections of 1882*

In the elections of 1882 the Conservatives received a new lease of power. Macdonald continued to dominate the Government, and his able lieutenant, Tupper, withdrew temporarily in 1883, from the domestic scene, to accept the post of Canadian High Commissioner in London.

*New lease of  
power for  
Conservatives*

In spite of auspicious beginnings the 1880's turned out to be years of disappointment for many of the optimists who had predicted that confederation would inaugurate an era of boundless development and prosperity for the entire Dominion. Despite the "N.P." and the railroads, and Macdonald's record of success, the promise of Canadian life remained unfulfilled, and honest critics had to admit that Canada's progress had fallen far short of expectations. As a result of this reaction, the decade was one in which some looked again to the United States as the source from which permanent improvement would come. Others, less enamored of a closer connection with the United States, preferred a new form of imperial federation.

*Years of  
depression*

The 1880's also brought to a climax a series of quarrels between Dominion and provincial authorities which resulted in numerous appeals to the courts and to the British Privy Council in an effort to define Dominion and provincial rights more accurately. Despite the best efforts of the fathers of confederation, Canada could not entirely avoid controversies between the champions of provincial rights and those who favored a constant widening of the sphere of federal

*Provincial  
rights*



activity. It will be remembered that Macdonald himself had always favored a legislative union in preference to a federal system, and during his years in office he generally used his influence in the interests of a greater nationalism. Most of these quarrels over provincial rights belong in the field of constitutional law, and only a few examples can be treated here.

*In Quebec*

Near the close of Mackenzie's administration, the lieutenant-governor of Quebec, M. Letellier de St. Just, summarily and without adequate reason dismissed his Conservative ministers. Although this action was at variance with the custom of the constitution, the people of the province seemed to approve the change at the next election, and the Mackenzie Government, therefore, refused to intervene in what it considered a purely provincial matter. When Macdonald resumed office, he recommended that Lord Lorne, the governor-general, remove the lieutenant-governor of Quebec. The issue was referred to the Colonial Office for advice, and, although the opinion rendered was somewhat ambiguous, it did uphold the principle that a governor-general must accept the advice of his ministry. Macdonald insisted on the lieutenant-governor's removal, and Letellier de St. Just was summarily dismissed, a course of action which seemed to many to be an unwarranted intervention by Dominion officials in provincial affairs.

*Manitoba-  
Ontario  
boundary*

In 1881 a controversy developed between Manitoba, Ontario and the Ottawa Government because of a law of that year fixing the boundary between these two provinces. Both the northern and eastern boundary of Manitoba had long been in dispute, and a commission had been appointed in 1878 to arbitrate the controversy. Ontario announced her willingness to accept the unanimous award of the commission, extending Ontario northward to the Albany River and westward to the Lake of the Woods, but the Dominion neglected to take action to carry out the recommendations of the commission. Finally in 1881 the Dominion Parliament in somewhat vague terms fixed a boundary for Manitoba, but this the neighboring province of Ontario was unwilling to accept. The two provinces then entered upon a conflict as to whose officials should exercise authority in the disputed strip. 100,000 square miles were involved, and if this area were incorporated in Manitoba, the Ottawa Government, which had retained possession of the public lands in the prairie province, would be able to profit by the disposal of the disputed region. On the other hand, if the area belonged to Ontario, that province would benefit from the lumber and mineral resources of the district in controversy. After some months of hostilities and mutual arrests by Ontario and Manitoba constables in the neighborhood of Kenora, the controversy was appealed to the British Privy Council in 1884. The latter upheld the boundary line fixed by the arbiters, but ruled that it could not be binding until Parliament should legislate it into effect. For a time, the Dominion Government continued to claim

jurisdiction and granted licenses for cutting timber in the disputed area. It was not until 1889 that the British Parliament, on petition from Canada, definitely fixed the boundaries of Ontario.

In 1881 the same province passed a Rivers and Streams bill designed to protect public rights on the waterways of the province. The bill was disallowed three times by the Dominion Government, and each time it was repassed by the provincial legislature. Finally in 1884 this conflict of jurisdiction between federal and provincial authority was settled by a decision of the Privy Council which upheld Ontario's rights in the matter.

*Ontario Rivers  
and Streams  
bill*

The agitation over the liquor question led to another conflict in jurisdiction. According to the British North America Act of 1867, the licensing of saloons for purposes of local revenue was a power left to the provinces. The Dominion Parliament, however, possessed general police power which included the right to legislate for the peace and order and good government of the country. In 1882 the British Privy Council specifically upheld the power of the Dominion Government to enact the Canada Temperance Act of 1878, popularly known as the Scott Act, on the broad basis of the police power, supported by the contention that violations of laws for the public peace and safety would have to be dealt with by the ordinary criminal procedure which rested solely with the Dominion. But Ontario in 1877 had passed a license law dealing with the control of public houses, and this statute had also been sustained by the British Privy Council as entirely within the power of the provincial legislature. In 1883, in order to get uniformity throughout the Dominion and to legislate more effectively for peace and order, Macdonald chose to regard the Ontario act as invalid and secured the passage of a federal license law. An appeal to the Canadian Supreme Court and to the Privy Council sustained the Ontario law as a police regulation which did not interfere with any federal powers. Most of the Dominion license law was therefore declared *ultra vires* and was repealed.

*Temperance  
legislation*

Other cases illustrating this conflict of jurisdictions might be cited. In another connection the complex issues revolving about educational rights in the provinces as another aspect of this same problem will be considered in detail. These controversies prove the extreme difficulty of drawing an instrument of government which will properly relate local rights and sectional interests to the powers which a central government must exercise over national matters. In most of these cases the provincial governments, if they were sufficiently in earnest and persisted long enough, had their way and they usually succeeded in forcing the federal authorities either to repeal their action or to accept a workable compromise. In a Dominion as large as Canada, sectional interests frequently arose to aggravate these contests.

*Twilight zone*

The early 1880's, as has been pointed out, marked the beginning of a period of depression. Farmers suffered from a great increase in

*Agricultural  
depression*

agricultural production the world over, particularly in the United States, Australia, Russia, and South America. This increase in production was not accompanied by a proportionate increase in gold production and, as a result, prices of farm products fell rapidly. The West was still in the speculative stage of its development, most farmers rejected a system of diversified agriculture and staked all their hopes for success upon wheat, and there were signs that the western boom was about to collapse. The exodus from Canada to the United States increased steadily, and the net gain in the population of the Dominion during the 'seventies and 'eighties was very disappointing.

*Industrial  
depression*

Accompanying this agricultural depression, despite operation of the "National Policy," there was a general falling off in foreign trade and a decline in manufacturing. In the face of these disappointments the advocates of a commercial union with the United States again made themselves heard. Some went so far as to urge the complete removal of all tariff barriers between Canada and its neighboring republic and the establishment of common excises and customs on foreign trade. A few even advocated a pooling of all income from commerce and its distribution in proportion to the population of the two pooling nations.

*Proposals for  
Canadian-  
American  
tariff union*

This idea was not a new one, and had received support earlier from such leading statesmen of the United States as Stephen A. Douglas, William H. Seward, and Horace Greeley, and in Canada from leaders such as Isaac Buchanan. On several occasions committees of the United States Congress studied the suggestion. In 1887 the leading advocate of this extreme form of commercial union was Erastus Wiman, a Canadian who was president of the Great North West Telegraph Company. Such responsible papers as the *Toronto Globe* argued that a commercial union of this kind would serve as a permanent link of friendship between the United States and Great Britain without really endangering Canada's political union with the mother-country.

*Overtures from  
United States*

In 1887 Congressman Butterworth of Ohio introduced a bill in the United States House of Representatives to grant free admittance to all Canadian goods whenever Canada should adopt a similar measure for products of the United States. Influential protectionist leaders in Congress, such as Nelson Dingley, gave the measure their support, while in Canada the proposal received the approval of numerous farmers' organizations and a number of important newspapers. Canadian merchants and manufacturers, fearing the ruinous competition that would follow the free importation of American products, vigorously opposed the suggestion, while the great mass of the Canadian people objected to the plan because they believed its acceptance would mean the end of Canadian nationality. Liberal leaders such as Richard Cartwright favored a modified form of commercial union with the United States, while other Liberals opposed the plan altogether. The attitude of the major political parties became rather



vague on these proposals for reciprocity with the United States and varied with changes in the economic conditions of Canada. In 1891 the Conservatives, despite their traditions of protectionism and imperialism, sent a mission to Washington to renew the Reciprocity Agreement of 1854 in some form, but they found that the Republican high tariff party was in power in the United States and was absolutely opposed to making any concessions.

Those who rejected what seemed to them the unpatriotic proposal of a closer union with the United States tried to find other solutions for Canada's economic and social ills. A small but enthusiastic group, founded as early as 1869 and known as the "Canada First" group, continued to preach the gospel of unwavering faith in Canadian nationhood and exhorted the people to eliminate all sectional and other prejudices and to support the government in a great program of national development. The most enthusiastic of the founders of this group was W. A. Foster, a brilliant young Canadian lawyer.

"Canada  
First" group

Another group, under the influence of such men as Goldwin Smith and Colonel G. T. Denison of the British Empire League, advocated a plan of imperial confederation, although they failed to suggest on what basis the Canadian Dominion should be represented in this new imperial organization. The *Toronto Globe* talked prophetically about a British commonwealth of nations. On the other hand, Laurier, leader of the French-Canadian Liberals, in these early years of his public career believed that Canada's ultimate destiny was independence. In 1886 W. S. Fielding, in later years another prominent Liberal member of the Government, actually carried a Nova Scotia election by a large majority on the issue of secession from the confederation, and a resolution to that effect was passed in the legislature of Nova Scotia by a vote of two to one.

Imperial  
confederation

Difficulties like these proved that Canada had not yet been welded into a great national state. Local prejudice was an ever-present menace to the realization of a closer union and a stronger national spirit. The West was beginning its attacks upon the tariff and upon the railroad rates enacted and dictated by the influence of the older East, and was protesting bitterly against the domination of the farmers by eastern capital. Ontario and Quebec were frequently at swords' points in controversies that were not simply political, but were aggravated by bitter religious prejudices. It is upon this background of unrest, disappointment, and sectional differences that Macdonald's achievements of the decade of the 1880's must be interpreted and evaluated.

Lack of  
national spirit

In 1885 the gloomy figure of Louis Riel reappeared on the Canadian stage to trouble the closing years of Macdonald's administration. The Dominion government was suddenly faced by another rebellion in the Northwest. This new crisis, like the earlier troubles in Manitoba, might have been avoided. It was due largely to the stupid policy of the government toward the half-breed population in the

Half-breeds in  
Saskatchewan  
valley

Saskatchewan valley and to its utter failure to learn the lessons which should have been obvious from the unfortunate events in the Red River valley during Macdonald's first term of office.

*Causes of  
discontent*

As suggested earlier, the half-breeds in the Red River valley received land grants from the Government at the time the province of Manitoba was organized in return for the surrender of their claims. No provision was made for the half-breeds living in the territories further west and north. Furthermore, with the steady march of the frontier into the West, the Indians became more restless and viewed with terror the rapid extermination of their buffalo herds. In 1879 due to constant pressure from the Council of the Northwest Territories and from Archbishop Taché and others, a law was passed authorizing the Government to make whatever arrangements seemed advisable in order to conciliate the native population. What the half-breeds in the Saskatchewan valley demanded was individual grants of 240 acres in accordance with the terms offered the natives of Manitoba nine years earlier. In a wilderness of millions of acres, the total of these demands would probably not have exceeded 50,000 acres.

*Blunders of  
Government*

The Government, however, remained curiously inactive in the face of the rising disturbance, while surveying parties, sent in to cut up the elongated farms into the United States system of townships of six miles square, aroused the fears of the inhabitants. Land was sold to speculators at the same time that the Government refused to issue patents to the natives for the land already occupied by them. Petitions from the half-breeds, demanding relief and the recognition of their claims, remained unanswered. A series of crop failures added to the discontent in the West, and conditions were soon ripe for a repetition of the insurrection of 1868.

*Riel's return*

In 1884 a delegation of the discontented from the Saskatchewan valley set out on foot for Montana, where Riel was then living, to invite him to return to Canada and espouse the cause of the wronged natives. Riel consented at once, and in 1885 the Northwest Rebellion was in full progress. The usual "bill of rights" for the Indians and half-breeds was adopted, and a provisional government was created with Riel as president. When the Government at last gave signs of awakening from its lethargy, the rebels attacked a government station and battled with a detachment of mounted police. The Dominion trembled with fear lest these incidents should lead to a general Indian uprising, but fortunately the great majority of the redskins in the Northwest refused to be drawn into the insurrection. The rebellion was crushed by a military force of several thousand volunteers, under General Middleton, who were rushed to the scene on the newly constructed Canadian Pacific railroad. Several engagements were fought and resulted in the loss of some 200 lives. It was estimated that the whole affair cost the government in the neighborhood of \$6,000,000, and the Liberal Opposition in Parliament made

the most of its opportunity to flay the Conservatives for their stupid, dilatory tactics.

To add to Macdonald's troubles, Riel was captured and brought to trial on a charge of rebellion against the government and inciting the Indians to armed hostilities. By this time, Riel clearly was suffering from temporary fits of insanity, and an effort was made to save his life on that ground. He refused, however, to plead this defense, and the insanity experts disagreed. Riel was found guilty, and the judgment against him was confirmed by the higher courts. On November 16, 1885, he was hanged for his alleged crimes. *Riel captured*

Riel's execution fanned all the smouldering embers of racial and religious prejudice into flames which for a time threatened to consume the Government. To the French Canadians Riel was a fellow Catholic, guilty of no offense save of championing the rights of the down-trodden half-breeds who had the sympathy of the French element for racial and religious reasons if for no other. The French Canadians demanded that Riel be pardoned; the English element, especially the Orangemen of Ontario, demanded his immediate execution. When Macdonald finally decided that Riel must hang, a storm of protest swept over the province of Quebec. Mass meetings condemned the Government, and the Conservative leader was burned in effigy in Quebec. Soon afterward when Macdonald set out for Europe, he was afraid to sail from Montreal or Quebec. He never recovered his political following in the French province. The Liberals naturally made political capital of the situation. Macdonald found comfort for the losses his party had sustained in Quebec in the thought that the Government would make new gains in Ontario. Here the protests of Quebec against the Government led instantly to counter-demonstrations. The net result of the agitation may have favored the Conservatives. At any rate for years after his execution the ghost of Riel continued to stalk across the stage of Canadian politics; his activities while alive, and the manner of his death, threatened at any moment to become a political issue. *His punishment*

One important measure remains to be considered before discussing the elections of 1887. In 1885 the Government brought about the enactment of the Dominion Franchise Law. Contrary to earlier practice, which left the determination of suffrage rights to each province, this measure provided for a uniform franchise law, on a low property-holding test, for the entire Dominion. A system of federal registration for voters was also established. Macdonald undoubtedly believed that some of the provincial suffrages were too liberal; he favored a property test for voting as a matter of principle. Indeed, he was quite willing to allow unmarried women with property to vote because he believed that they would naturally affiliate with the Conservative party. The Dominion Government was entirely within its legal rights in sponsoring this legislation, but the Liberals fought the measure with all their resources and *Dominion Franchise Act of 1887*



finally resorted to a filibuster in Parliament during which long passages of *Robinson Crusoe* and other irrelevant works were read to the assembled Commons in the effort to talk the measure to death. The Liberal Opposition maintained that each province was best fitted to determine the suffrage regulations which suited its peculiar conditions, and that to permit federal officers to scrutinize the list of voters would give the party in power a tremendous advantage in the elections. The measure, after some modifications, was finally passed, but it never became popular. When the Liberals returned to power the law was repealed (1898).

*Elections of 1887* Macdonald faced the voters in the elections of 1887 with serious misgivings about the outcome. Nevertheless, his prestige and power, though waning, proved sufficient for another victory, and once again the voters returned the "Old Man" to office, but with a considerably reduced majority. Edward Blake, disappointed by the defeat of his party in this election and suffering from bad health, now resigned his leadership of the Liberal party. Four years later he reëntered the field of politics as an Irish Nationalist member of the British House of Commons. The Liberals, passing over older leaders like Sir Richard Cartwright and David Mills, chose Wilfrid Laurier, who had just turned forty-six, as the new leader of the Liberal Opposition. Laurier was a native son of Quebec and a faithful adherent of the Roman Catholic Church, factors which made it particularly difficult for him to carry on his new duties at a time when religious and racial animosities between Ontario and Quebec were so strong, and when local issues like the Riel case and differences over religious and secular schools were constantly being drawn into the arena of federal politics.

#### SELECT BIBLIOGRAPHY FOR CHAPTER XXI

Most of the volumes listed at the end of the two preceding chapters are also useful here. A brief account of some of the problems discussed in this chapter is available in H. E. EGERTON, *A Historical Geography of the British Dominions*, vol. V, Pt. II, pp. 293-343, *passim*. J. E. COLLINS, *Canada under the Administration of Lord Lorne* (Toronto, 1884), covers part of the period.

G. T. DENISON, *Soldiering in Canada* (Toronto, 1901) deals with the Northwest Rebellion of 1885.

W. P. M. KENNEDY, *The Constitution of Canada*, in ch. XXIV, deals with the distribution of legislative power between the Dominion and provincial governments.

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For the boundary disputes of this period, see the special volumes on the various provinces in *Canada and Its Provinces*.

## CHAPTER XXII

### THE DECLINE OF THE CONSERVATIVE GOVERNMENT

THE span of life still left to Macdonald was a time of anxiety and comparatively meagre achievements. By the close of the 1880's, a decade of commercial stagnation, both political parties were angling again for some kind of trade agreement with the United States in the hope of regaining prosperity. The census of 1891 was very discouraging. While the Canadian population numbered nearly 5,000,000, United States statistics professed to show that fully 1,500,000 Canadians had been lost to the Dominion, apparently forever. In the decade of the 1880's the Canadian population had increased nearly twelve per cent, but that of the United States had grown more than twice that amount. The "N. P." had not proved a panacea for the country's troubles, and by 1890, the Conservatives were willing to risk their political fortunes in a demand for the renewal of the Reciprocity Agreement of 1854 subject to such changes as new conditions might dictate. The Liberals in 1888 came out for unlimited reciprocity, virtually free trade with the United States.

*Continued depression*



In 1891 the Conservatives yielded to a growing demand for lower duties by reducing the tariff on raw sugar, retaining, however, the duty on refined sugar, and three years later further reductions were made in the tariffs on agricultural implements, textiles, and lumber. Iron manufacturers and steel kings continued to enjoy heavy protection. In 1891 it was the turn of the Conservatives to make a pilgrimage to Washington in the interests of reciprocity. Like their Liberal predecessors, however, they met with nothing but rebuffs from the United States government. It happened unfortunately whenever a movement for freer trade arose in one of these neighbor nations, that the other was under the control of the protectionists.

*Tariff changes*

The fisheries question, which apparently had been settled by the Treaty of Washington (1871), suddenly became an issue again when the United States, in 1885, terminated that part of the treaty which dealt with this question. New circumstances—in the form of a sudden change in the habits of the mackerel—induced the United States to allow this part of the agreement of 1871 to expire, for the mackerel had suddenly deserted Canadian waters for those of the United States. The privileges guaranteed to United States fishing interests, therefore, proved worthless, and in 1882 only one American vessel made use of them. Nevertheless, the arbiters charged by the treaty of 1871 with fixing the special compensation to be paid Great

*Revival of fisheries controversy*

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Britain for the excess value of the rights enjoyed by Americans in the Canadian fisheries assessed the United States \$458,333.33 a year for concessions which were now no longer of value. Other irritating incidents, such as an attack upon American fishermen by a Newfoundland mob in Fortune Bay in 1878, added to American irritation concerning the fisheries arrangement. For this particular act of violence England finally paid \$75,000 damages to the United States.

Crisis in  
controversy

When the United States Congress ordered the termination of the fisheries agreement in 1885, the controversy was thrown back to its beginning in the convention of 1818, and the whole question as to what right Canada and Newfoundland had to regulate the fisheries was revived and argued with great intensity of feeling. The British North American governments naturally claimed that they were charged with full responsibility for the protection of their valuable fishing resources and for the maintenance of peace and order and the enforcement of law. The Canadian authorities soon began to enforce regulations that seemed unjustifiable, or at least unnecessarily disagreeable, to the American fishing interests. Canadian patrol boats tried to exclude United States fishing vessels from within the three mile limit and to enforce other irritating regulations. Although American deep-sea fishermen could ply their trade beyond the three mile limit, they were obliged to use Canadian harbors to buy ice, bait, and other supplies. Canada was willing to permit the Americans to get water and shelter and to come in for repairs in accordance with the earlier agreement, but refused to grant additional privileges. In 1887, 400 United States vessels were seized for the violation of Canadian regulations, and a United States war ship was sent to protect American fishermen from Canadian patrol boats. During this controversy several sharp notes passed between Washington and London.

Peaceful  
adjustment

It was evident that the Canadian Government was using the fisheries as a club to force a renewal of a reciprocity agreement which, among other things, would admit fish caught in Canadian waters to the United States free of duty. President Cleveland was ready to begin negotiations on this basis, and in 1888 the Chamberlain-Bayard treaty, drafted by a commission of which Sir Charles Tupper was the Canadian member, was submitted to the United States Senate for ratification. American fishing interests, who opposed complete reciprocity in fish and wanted the United States government to pay a lump sum for a renewal of their privileges, were powerful enough to secure the defeat of the treaty. Fortunately a *modus vivendi* was arranged by which the United States government got most of what it desired. By this temporary agreement any American vessel desiring the freedom of Canadian harbors paid a license fee of one dollar and a half a ton. The new arrangement proved satisfactory. The Canadian government faithfully adhered to this agreement, and from 1888 to 1905 Canadian-American relations over the fisheries were peaceful and mutually satisfactory. As a matter of fact, with the introduction



of more steam-driven fishing vessels United States fishermen had less need for the privileges of Canadian harbors.

New domestic issues arose during the same period to stir the antagonisms and prejudices of Quebec and Ontario. In 1888 a bill was passed by the Quebec legislature dealing with the complicated question of compensating the Jesuits for the confiscation of their estates many years earlier. In 1773 the order of the Jesuits had been suppressed by the Pope himself, "for the peace of the church." The Jesuit estates had been confiscated by the British government and after 1831 were held in trust for Canada to be used for educational purposes. In 1867 the control of these estates passed to the province of Quebec. A quarrel soon arose between the Church authorities and the Jesuits, who had returned to Canada in 1842, as to who had the better title to these estates. The question had disrupted provincial politics for some years, until in 1887 Prime Minister Honoré Mercier, himself a former student in a Jesuit college, courageously undertook to settle the controversy. He secured the passage of a bill legally incorporating the Society of Jesus, and in 1888 a law was enacted appropriating the sum of \$400,000 as compensation for their estates, this amount to be apportioned among the Church, the Jesuits, and Laval University at a ratio to be fixed by the Pope. In return, the order relinquished all claims to its former possessions. At the same time that this settlement was made for the Catholics, an appropriation was made for the schools of the Protestant minority in Quebec, since some of these schools had been supported by revenues derived from the Jesuit estates.

*Religious  
and racial  
prejudices*

It is significant that although the Protestant minority in Quebec supported the Jesuits Estates Act, Ontario flew into a rage at once and denounced this new evidence of what Orangemen called "papal aggression" in Canadian affairs. In their eyes the law violated the principle of separation of Church and State, and amounted to an endowment of a secret papal society. That feature of the law which designated the Pope as the arbiter of the claims of the various groups concerned was considered as particularly obnoxious, and a glaring example of Quebec's willingness to let the Pope enforce an act of a Canadian legislature. Ontario clamored for disallowance. The Liberal leader, Laurier, Quebec's "favorite son," supported the Jesuits Estates Act on the ground that this confiscation of property had been unfair. He opposed disallowance by the Dominion government on the general principle that Ottawa should not interfere with those acts of provincial legislatures which were clearly within provincial legal competency. Macdonald permitted the law to take its course, and a proposal to disallow was decisively defeated in the Dominion Parliament. Nevertheless, a bitter sectional and religious controversy continued to rage outside the halls of Parliament, and eventually led to the formation of militant anti-Catholic organizations in Ontario,

*Jesuits Estates  
Act*

such as the Protestant Protective Association and the Equal Rights Association.

In 1890 a bill was introduced in the Dominion Parliament to prohibit the use of French in the legislature and in the judicial procedure of the Northwest Territories. The proposed legislation clearly violated the specific guarantee provided by the act of 1875 under which this region had been organized. The measure failed, but it was an ominous symptom of the increase of religious and sectional antagonisms and a sign of the approaching controversies over bilingualism and separate schools which soon involved both political parties in an effort to compromise these opposing points of view.

Finally, there was striking evidence of increasing laxity by the Conservatives in the administration of government departments. After an unbroken dozen years of power with almost nothing to fear from a greatly weakened Opposition, the moral fibre of Macdonald's party began to loosen. The Liberals charged Sir Hector Langevin, for some years head of the department of public works, with such mismanagement, corruption, and graft, that in comparison the notorious Tammany machine of New York was said to "smell sweet." To state the case mildly, Langevin was clearly guilty of negligence in office, and negligence in a department charged with responsibility for the public works left the door wide open to corruption. The charges against the minister received sufficient credence to prevent Langevin later from becoming Macdonald's successor as leader of the Conservative party. Other charges convinced many of the voters that a change in party was necessary to improve the morale of the government service.

In 1890 Macdonald startled the country by asking for a dissolution of Parliament and a new election. Some of his Liberal critics declared that he chose this as the opportune moment because the Canadian Pacific Railroad was trying to float a huge loan in England in order to get a connection with Chicago, and that therefore it could not afford to let the Conservatives lose control of the Dominion government. The implication was plain that generous campaign contributions would be forthcoming from the company. Sensing the rising tide of tariff reform in the West, Macdonald urged a moderate form of reciprocity with the United States at the same time that he restated the merits of the "National Policy" and stressed protection in districts devoted to manufacturing. He misled his followers by an unwarranted suggestion that the United States had made overtures for a new trade agreement, an assertion which the American secretary of state, James G. Blaine, was quick to deny.

The Liberals were on record as favoring unrestricted and complete reciprocity, a platform which the Conservatives easily distorted into a proposal for annexation to the United States, and as a "Yankee" proposition smelling of "veiled treason" and rank disloyalty. All loyal Canadians were summoned to the support of "The old man,

*Separate  
schools and  
bilingualism*

*Corruption in  
the Government*

*Sudden appeal  
to country*

*Loyalty issue*

the old flag, and the old policy," for what would probably be the last time that Canada's "grand old man" would appeal to them for political support. The Liberals tried to combat such sentimentalism with a cold-blooded analysis of the failures of the "National Policy," and by exposing the tactics of their opponents and the corruption and inefficiency in office with which the Conservative party was now definitely tainted.

In 1891, Macdonald once more won in a campaign which was a strange mixture of abuse, cheap politics, and an appeal to patriotism. The Conservatives had the great advantage which came from the support of the manufacturers and the business interests, and they diligently collected campaign funds from these sources and from the Canadian Pacific. Nevertheless, Conservative power was on the wane, and the Government lost heavily in both Ontario and Quebec. It was returned to power only because of the loyal support of the West and the maritime provinces.

*Macdonald's  
last victory*

Macdonald was exhausted by the strenuous winter campaign. In the spring of 1891 he suffered a stroke of paralysis from which he could not recover and on June 6, 1891, he died. His death was a crushing blow to his party and to the country. He had been prime minister of the Dominion for nearly twenty of its twenty-four years of existence and had so dominated his party that for many years it did not recover from the loss of his leadership. Among his many achievements three stand out above all the rest—the successful launching of the Confederation, although Macdonald had been one of the last to accept the need of confederation; the opening of the Northwest, even though this was accompanied by needless delays and blunders; and the building of the Canadian Pacific Railroad, a project which in its early stages had driven him from power in disgrace. Any one of these achievements would have been sufficient to place the name of Macdonald among the immortals of Canadian history.

*His death*

Like most great men who have been long in the public eye, Macdonald's career was a strange mixture of virtues and blemishes. It was Laurier, his life-long political opponent who called him "Canada's foremost citizen and statesman." He had the "supreme art of governing men," and as Laurier pointed out, "the fact that he could congregate together elements the most heterogeneous and blend them into one compact party, and to the end of his life keep them steadily under his hand, is perhaps altogether unprecedented." On the other hand, the same eulogist could say with equal truth, that "he did more than any other man to lower the level of Canadian political life. . . . Perhaps his chief disservice was to make his countrymen feel that politics was not only a game but a game without rules."

*Estimate of  
his career*

In the five years which elapsed between Macdonald's death and the expulsion of his party from office, four prime ministers passed rapidly



*Disintegration  
of his party*

over the stage of Canadian politics while the Conservatives sought in vain for a leader who could rally their wavering ranks and save the party from defeat. The first upon whom the mantle of Macdonald fell was Sir John Abbott, an able Montreal lawyer who had survived his connection with the annexationist movement in 1849, and who now served as the leader of his party in the Senate. As he himself told the House of Commons, he was chosen, as were "candidates for the Presidency of the United States," because he was harmless and was "not particularly obnoxious to anybody." The new prime minister retained his place in the Upper House and left the task of managing the Commons to Sir John Thompson. The latter's task was considerably complicated by the fact that he was a Roman Catholic convert from Protestantism.

*"Scandal  
Session" of  
1891*

Abbott's brief term of office was marked by an avalanche of charges against the administration of the government departments during the Macdonald régime. The department of public works, the department of the interior, and the printing bureau were especially singled out by the Liberals for their charges of inefficiency and corruption. There was loud and vehement discussion of Conservative corruption funds contributed by contractors doing business with the department of public works, and in August, 1891, Sir Hector Langevin, the minister in charge, though previously acquitted by a majority of the committee on privileges and elections, felt it necessary to resign. The only answer to these charges which the Conservatives could make was that the Opposition was tarred with the same stick. Thus they welcomed with delight the revelations of corruption in the Liberal Government of Quebec in the hope that this would counteract the charges against themselves. The session of 1891 was known as the "Scandal Session." In 1892 Prime Minister Abbott, because of failing health, relinquished his onerous duties.

*Sir John  
Thompson*

He was succeeded by Sir John Thompson whose sheer ability overcame the religious prejudice which his change from Protestantism to Catholicism had aroused in many quarters. The most significant achievement during his premiership was in the field of foreign affairs, and concerned the settlement of the Bering Sea fur sealing controversy with the United States.

*Bering Sea  
fur sealing  
controversy*

Ever since the United States had acquired Alaska in 1867, it had manifested great concern over the seal fisheries of Bering Sea and had been alarmed at the destructive seal hunting which was being carried on in the open sea. American regulations limited the number of seals which could be killed each year to 100,000 and confined the operations of the Alaska Commercial Company, which had the sole right to hunt seals in American waters, to the Pribilof islands, the seals' favorite breeding ground. Unfortunately for the seals, they were accustomed to wander each year far out into the Pacific and to return to Alaska by way of the coast of British Columbia. Many adventurers, especially Canadians, hunted the Alaskan seals which

swam beyond the three mile limit and by dynamiting they threatened the rapid extinction of the herds. In 1886, under a law of Congress, a United States revenue cutter seized three Canadian vessels seventy miles out from the American coast line. Three years later additional seizures were made. The British government at once protested against what it considered the unwarranted exercise of United States jurisdiction over a body of water which was part of the open sea. Matters might have been satisfactorily settled in 1888 had not Canada, probably because of the breakdown of the negotiations over the Atlantic fisheries, suddenly asked the British government to suspend further negotiations.

The imperialistic American Secretary of State James G. Blaine, who came into office in 1889, was disposed to insist upon American rights to the extent of arguing that Bering Sea was a *mare clausum* (a closed sea) entirely under American control, and he carried the American Congress with him in this extreme position. Great Britain proposed to arbitrate the trouble, and in 1892 an agreement to this effect was signed. The arbitration tribunal met at Paris in the following year. In addition to two members from the United States and two from the British Empire, of whom Sir John Thompson was one, the tribunal contained one representative each from France, from Italy, and from Sweden.

*Secretary of  
State Blaine's  
standpoint*

The United States was forced to recede from its extreme contention with reference to its jurisdiction over Bering Sea. The substance of the award was a denial of American property rights to seals beyond the three mile limit of the coastline of Alaska or the islands of the United States; further, Bering Sea was definitely included in the Pacific Ocean as part of the high seas. Great Britain thus won the legal issues at stake. The arbiters, however, worked out a set of regulations for the regulation and protection of the seal fisheries, and on this point the United States was sustained and probably got all that Secretary Blaine had originally hoped to attain. Within a zone of Bering Sea and the Pacific Ocean north of 35°, seal fishing was prohibited each year during May, June, and July, and pelagic sealing was forbidden within a sixty mile zone around the Pribilof islands. The use of steamers, nets, explosives, or guns was prohibited altogether. Finally, Canada collected damages of \$425,000 from the United States as compensation for the latter's unwarranted interference with her vessels.

*Award*

Time proved that these regulations were ineffective. In 1911 an International Seal Conference in which Russia, the United States, Great Britain, and Japan participated, made a treaty stopping all open sea sealing for fifteen years, pooling the seal skins that Japan, Russia, and the United States got from the rookeries along their shores, and pro-rating the killings on land among the nations involved in order to compensate Canada and Japan for the surrender of their pelagic sealing industry during the period agreed upon.

*Subsequent  
sealing  
regulations*

*Tariff issue*

The domestic problems of the Thompson ministry were not so easily solved. In the face of a rising demand for tariff reform, which was particularly strong among the farmers, the Government appointed a tariff commission to study the needs of industry. The Liberals eagerly seized upon the tariff issue, but prudently abandoned their demand for unrestricted reciprocity as they saw the time for their return to power approaching. Despite protests from the protected interests, some reductions were made in the tariff rates.

*Manitoba schools question*

It was the Manitoba Schools question which caused the greatest difficulties for the Government and eventually became the issue which brought about its fall from power. When Manitoba entered the Confederation there were no public schools in the province. The act of 1870 contained the usual guarantee on educational matters, namely, that no legislation of the province should deprive any denominational school existing in 1870 of its rights and privileges, and that in case of injury an appeal lay to the federal government. This was in accord with the first paragraph of Section 93 of the British North America Act. The first legislature of Manitoba passed a school law like that of Quebec, providing for a board of education in which half the members were Catholic and half were Protestant, establishing a Protestant and a Catholic superintendent of education, and dividing the school funds between these two types of schools. In 1875 the arrangement for pro-rating the educational fund was changed to correspond with the changing proportion of Catholics and Protestants in the province, but the fundamental provisions of the act were left undisturbed.

*Act of 1890 and separate schools*

In 1890 a bigoted religious agitation, as well as the crying need for raising educational standards, especially in the parochial schools of some of the immigrant groups which had settled in Manitoba, led to a radical change in the educational system of the province. The act of 1890 swept away the dual board of education and created a single, public, non-sectarian school system to be supported by local taxes and provincial grants, under a department of education. At the option of the local school boards an hour's non-denominational religious instruction might be added to the curriculum, and parents who disapproved of this arrangement, could have their children excused from attending. Any Catholic citizen or any adherent of another denomination retained the right to support his own schools, but he paid the tax for the maintenance of the public school system in addition.

*Appeals for relief*

An agitation arose immediately among the Catholic population and among other friends of parochial schools to have the law disallowed on the ground that it violated the rights and privileges specifically granted by the act of 1870 under which Manitoba had entered the Confederation. As the controversy developed both parties became embittered, and the latent religious prejudices of the other provinces toward the Catholic Church were quickly aroused. The



Ottawa Government refused to disallow the Manitoba act when it was passed because of the possible effect of such action upon the general elections of 1891. The matter then went before the courts, and the Canadian Supreme Court declared the Manitoba law *ultra vires*. This decision was soon overruled by the Privy Council on the ground that the only right which the Catholics possessed at the time Manitoba entered the Dominion was the right to support their own schools and that this right was still unimpaired. The aggrieved Catholic minority now based its appeal on that section of the British North America Act providing for remedial legislation by the Dominion Parliament when the governor-general-in-council, that is, the cabinet, refuses to act. The Supreme Court of Canada was again overruled on this question of the nature of the remedy, and the Privy Council in 1895 held that the Dominion Government could grant a remedy, although it did not specify what it should be.

At this critical juncture in the affairs of the Conservative party Sir John Thompson suddenly died while visiting at Windsor Castle. He was succeeded by Mackenzie Bowell, a second-rate figure in Canadian politics who had been leader for the Government in the Upper House. It did not contribute to the peaceful solution of the Manitoba schools question that Bowell was a past grand master of the Orange lodges.

*New premier*

The separate schools question now became the football of politics. The English element opposed the French, the Protestants fought with the Catholics, the champions of provincial self-government contended against federal intervention in Manitoba, and the Liberals, of course, did what they could to develop the situation to a point where it might be used to drive the Conservatives from power. The Protestant Protective Association, a new and violent anti-Catholic secret order which was the counterpart of the "A. P. A." movement in the United States, spread like wildfire during these years, and its members attacked all party leaders who dared to favor the Catholic demands. The "P. P. A." was especially strong in Ontario where the chief strength of the Conservatives also lay. Laurier tried in vain to pacify the agitators against the Catholics by pointing out that the provision of the British North America Act, designed to protect religious minorities had been inserted in 1867 at the specific request of the Protestant minority in Quebec.

*Separate  
schools and  
religious  
prejudice*

On March 21, 1895, following a recent opinion of the British Privy Council to the effect that Ottawa could devise a remedy, Bowell's Government issued an order-in-council ordering Manitoba to alter the law of 1890, to restore the rights of the Roman Catholic minority to separate schools which should share in the provincial grants for education, and to exempt Catholics from taxation for the support of any schools other than those attended by their children. Manitoba refused to abandon its position on the schools question and demanded an impartial investigation of its schools, confident that

*Manitoba  
versus  
Dominion  
Government*

such a survey would reveal a lower standard of instruction in the parochial schools than in the public school system. The Dominion Government finally concluded to give Manitoba additional time to comply with its request, but announced that if nothing were done to relieve the situation by 1896 the Dominion Parliament would be asked to pass a remedial law.

*Remedial bill*

In February, 1896, the Government introduced a remedial bill substantially like the order-in-council which it had issued earlier. A month before, half of Bowell's ministry had resigned, because of this controversy and a general dissatisfaction with the prime minister's leadership. Bowell, therefore, was forced to retire at the end of the session. The proposed remedial legislation had the support of the Catholic Church, but Laurier, despite clerical pressure, opposed it, criticising some of its details and arguing for a policy of conciliation rather than compulsory interference with provincial rights.

*Liberal  
filibuster*

At this point Dr. Charles Tupper, the venerable Conservative leader and confrère of Macdonald, was hastily summoned from London where he was still serving as Canada's High Commissioner, to try his hand again as a practitioner on the body politic, to save the party. A conference arranged between the Ottawa and Manitoba authorities produced no solution for the trouble, and the people of Manitoba in an election supported their Government on the schools question by a large majority. After the breakdown of these negotiations, Tupper formally introduced the remedial legislation in the Ottawa Parliament. The Liberals opposed it as did some of the Conservatives also, and when Tupper, therefore, tried to force his measure through the Commons, he encountered a well-directed filibuster. After listening to readings from Mark Twain and Canadian histories and sitting wearily through continuous sessions one hundred hours long, Tupper was ready to capitulate. He obtained the passage of the necessary money bills on the promise to dissolve Parliament immediately and to appeal the question to the country. Before the elections were held, Tupper, now prime minister, reconstructed his cabinet.

*Appeal to  
electorate*

The leading issues in 1896 were the tariff and the Manitoba schools question. The Liberals favored a revenue tariff, but assured the manufacturers that they need not fear losses to their business from too sweeping changes in the direction of lower duties. The Liberal attitude on both the tariff and the separate schools question was that of cautious politicians who sense the chance to return to power and therefore try to avoid antagonizing any group which may possibly give them support. In Quebec every effort was made by the Conservatives to represent Laurier as an unfaithful son of the church of his fathers, and many of the clergy vigorously opposed his candidacy. The Liberal leader made a strenuous campaign throughout the country and won many voters by that personal magnetism which easily made him Canada's foremost orator. The Conservatives who had lost most of their leaders by death, struggled bravely on under the leadership

of the "little doctor" from Nova Scotia, who, despite his years, fought hard to uphold the banner of his party.

As a result of the election, the Liberals were returned to power at Ottawa for the first time in nearly a score of years. Their majority in Ontario proved small indeed, but Quebec's "favorite son" managed to capture forty-nine of the sixty-five seats in the French province, and it was these gains which resulted in the Liberal majority. Henceforth, Quebec was the stronghold of the Liberal party, and Dominion affairs now fell to the direction of a French-Canadian Catholic.

*Liberal victory*

Dr. Tupper remained in Parliament as leader of the Opposition until 1899. Before relinquishing the premiership to Laurier, he tried to pack the Senate, and even the courts, with Conservative appointments. When the governor-general, the Earl of Aberdeen, refused to accede to these eleventh-hour selections, his action was denounced as an "unwarranted invasion of responsible government." Tupper died in 1915.

*Tupper's  
retirement*

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## CHAPTER XXIII

### THE RETURN OF THE LIBERALS

*Wilfrid Laurier* WILFRID LAURIER's policies, as embodied in his program as the first French prime minister of the Dominion of Canada, can only be understood by constant reference to his French-Canadian background and to his early experiences as a citizen of Quebec. Laurier was born in a little village near Montreal on November 20, 1841, of French-Canadian parents whose ancestry went back fully two centuries to the dawn of French-Canadian history. He began his education at the parish school of St. Lin and later entered the little college of L' Assomption. After graduating at nineteen, he attended the law courses of McGill University for three years and then entered upon the practice of his profession.

*Political views* In spite of his faithful adherence to the church of his fathers, Laurier as a young man began to manifest interest in that moderate form of Liberalism which was the key to his later public life, and which sometimes led him into serious misunderstandings with his own people. In 1865 Laurier served as an officer of *L'Institut Canadien*, an organization which eventually fell under the papal interdict for its advanced political and philosophical views and for its persistence in circulating and discussing books of which the Catholic Church disapproved.

*Ultramontanes of Quebec* In the late 1860's and the early 1870's the claims of the ultra-orthodox church party (the *ultramontanes*) in Quebec reached their climax in an effort to secure domination of the temporal as well as the spiritual affairs of the province. A church council at Quebec compared the modernist, liberal Catholic movement to the serpent that crawled in Eden to plot the fall of man; a French-Canadian battalion of Papal Zouaves was recruited in Quebec to fight for the Papacy's crumbling temporal possessions in Italy, and the troops left Canada with the blessings of the bishop of Montreal. In 1871 a Catholic program was announced which maintained that those entrusted with the legislative power must be "in perfect accord with the teachings of the Church." The triumph of the theory of papal infallibility in the Church at this time was followed by an attempt of the Quebec clergy to control elections in their province in the interests of the hierarchy. Joint pastoral letters were issued warning the people of the sins of political liberalism and suggesting spiritual penalties to intimidate the faithful who might otherwise be tempted to vote against the policies of the Church. Conservative party leaders flirted with the new movement, and eventually several elections

were declared void by the courts because of unwarranted interference by the clergy on behalf of Conservative candidates.

It was one of the fundamentals of Laurier's Liberalism that a man might be a good son of the Catholic Church, and yet accept liberal principles in the domain of politics. On more than one occasion he courageously denounced the Church when it interfered unduly in political affairs. The principles he announced in the days of his political apprenticeship (1877) in an address on "Political Liberalism," delivered before a group of young Quebec Liberals who were members of *La Club Canadienne*, remained the guiding principles of all Laurier's later years in matters affecting the relationship of Church and State. In this address Laurier insisted that his Liberalism had nothing to do with religion and that it was the tolerant, moderate Liberalism of England rather than the radicalism of the countries of continental Europe. He disclaimed all intention of leading an anti-clerical movement and freely admitted the right of the Church party to participate in elections as any other group of voters might do. But he denounced all attempts on the part of the Church hierarchy to interfere with freedom in political affairs by threatening a system of spiritual terrorism. Throughout his life he was fully aware of the dangers that would result for his people and his country if political parties were to be founded on religious and racial differences.

*Laurier's  
Liberalism*

In 1871 Laurier entered the provincial assembly of Quebec as a Liberal; in 1874 he was elected to the Dominion Parliament and served in Prime Minister Mackenzie's cabinet at the early age of thirty-six. A decade later he became the titular head of his party at a time when the Liberals, completely overpowered by the masterful tactics of Macdonald, were still hopelessly wandering in the political wilderness. Laurier had all the qualities of a magnetic leader. Endowed with a striking personal appearance he became a master of oratory, and was equally eloquent in the French and English languages. He was a skilled parliamentarian and a genial leader whose gentleness at times belied his hidden strength of purpose. Like most public men he was often an opportunist and sometimes found it advisable to sanction bits of political jobbery which seemed to belie his sterling qualities of character. To several principles, however, he was passionately and consistently devoted. He had organized the Liberals of Quebec on a platform which permitted of political Liberalism without anti-clerical tendencies, and he devoted his life to securing and preserving harmony between the English and the French elements of the Canadian population. He uncompromisingly opposed every attempt to make religious belief the basis of party organization. His course in these matters, it is true, was one which his political sagacity showed him was the only safe one to take. Yet to say that political shrewdness alone controlled his public acts would be to misjudge him entirely. With Laurier these matters were deep-rooted

*Early political  
career*

convictions to which he clung with the tenacity of an honest and courageous soul.

*Liberal  
ministry*

Laurier entered upon his new duties with one of the strongest ministries in Canadian history. The prime ministers of three provincial governments were summoned into the federal cabinet to exercise their talents on this larger political stage. W. S. Fielding, for ten years prime minister of Nova Scotia, became minister of finance; Andrew G. Blair, a former prime minister of New Brunswick, became minister of railways and canals; Henri Joly de Lotbinière, a Protestant ex-prime minister of Quebec, assumed the duties of controller of inland revenue; and Louis H. Davies, who had been prime minister of Prince Edward Island, became minister of marine and fisheries. Other notable figures in Laurier's cabinet of seventeen members (two without portfolio) were Richard W. Scott, secretary of state, who had been in public life for forty years, Sir Richard Cartwright of Ontario in charge of trade and commerce, Sir Oliver Mowat as head of the department of justice, a Scotch Presbyterian with a half century of political experience behind him, and Israel Tarté, of Quebec, who became head of the department of public works. Somewhat later, Clifford Sifton, another powerful figure in the Liberal party, entered the cabinet as minister of the interior. Laurier himself, probably with the mistakes of Alexander Mackenzie fresh in his mind, did not allow himself to become so absorbed in the details of one government department that he had no time left for the game of practical politics. He did not assume responsibility for any department and was content to lead his party and the Commons as president of the council. The Liberal Government made a most favorable beginning, for it had the great advantage of assuming office at a time when the tide of economic affairs began to turn favorably for Canada. Indeed the next decade did bring years of boundless optimism and prosperity.

*Settlement of  
Manitoba  
schools question*

The new prime minister's first task was the settlement of the long-standing quarrel with Manitoba over the separate schools question. True to his promise to avoid coercion, Laurier arranged conferences between the Dominion and the provincial authorities in order to work out a compromise which would satisfy all parties concerned. The terms finally agreed upon involved an amendment of the Manitoba law, but through the voluntary action of the provincial legislature itself. This change permitted religious teaching for a half hour at the end of the school day when authorized by the school trustees and requested by a specified number of parents. Roman Catholic and Protestant teachers were to be employed to give this instruction whenever attendance upon religious teaching reached a number specified in the law. Wherever ten pupils in a school spoke French or some language other than English as their native tongue, they were to be taught by the bilingual system. This provision was designed to meet the wishes and the needs of many European immi-



grants, such as the German Mennonites, as well as those of the French element. It was further agreed, though not specifically stated in the law, that the matter of textbooks and Roman Catholic representation on administrative boards should be settled to the satisfaction of all parties concerned.

Laurier's Manitoba settlement was an effort to meet the peculiar needs of minority groups without disrupting the public school system of the province. It probably represented the maximum which could be gained at the time without trying to force the province to do that to which it was resolutely opposed. Coercion undoubtedly would have caused trouble and might have ended in failure. The settlement, on the other hand, definitely removed the controversy as a political issue. Its terms were bitterly opposed by many of the Catholic hierarchy, and once more Laurier heard the familiar command to the faithful to choose between obeying the government and obeying the Church, a command that was often represented as a veritable choice between God and the devil. In Quebec the penalties of the Church were invoked to prohibit the reading of certain Liberal newspapers, and in the end Laurier had to appeal to the Papacy to quiet the clergy, only to bring down on his head the wrath of Ontario Protestants who resented this evidence of "papal intervention." A papal nuncio was finally sent to Canada, and the Pope virtually instructed the Quebec churchmen to cease their agitation.

*Acceptance by  
Dominion*

The tariff was the second major issue of the campaign of 1896, and Laurier decided to tackle this complicated problem by means of a tariff commission which should conduct public hearings in many parts of the country in an effort to determine scientifically the tariff needs of each specific industry. It soon became apparent that, whatever may have been the Liberal promises of lower tariff rates during the campaign, the party did not intend to make radical changes in the protective system now that it was charged with the responsibilities of government. The recent enactment of the Dingley tariff by the United States, the highest since the Civil War, undoubtedly had its effect in convincing Canada that the time for free trade had not yet arrived. The new Dominion tariff measure as finally enacted provided a moderate, but on the whole honest, reduction in many of the tariff rates. The duties on iron, steel, and sugar were reduced, although government bounties on iron and steel offset the effect of some of these reductions; some specific duties were changed to *ad valorem* duties, and the number of articles on the free list was materially enlarged by adding articles needed by the farming population in particular.

*Tariff policy*

The most important feature of the law was the provision for preferential rates. On the goods of all countries which granted favorable terms to Canadian trade, a flat reduction of twelve and a half per cent was made at once, with the provision that this preferential treatment would be increased to twenty-five and finally to thirty-three

*Preferential  
rates*

and a third per cent. This new arrangement was defended on the ground that it would greatly stimulate trade between Canada and Great Britain, and that it would have the important political effect of forging a new link of empire based on closer commercial union between the mother-country and her far-flung dominions. As a matter of fact, with the exception of New South Wales and the Netherlands, the law under existing trade arrangements applied only to Great Britain. For a time Belgium and Germany, who had most-favored-nation treaties with Great Britain, claimed the same preferential treatment, but in 1897 Great Britain renounced these treaties in order to safeguard Canada's fiscal independence. A brief tariff war resulted between Germany, Belgium, and Canada. The policy of imperial preference, inaugurated in Canada, was gradually extended until by the outbreak of the Great War in 1914, Great Britain and nearly forty of her possessions were united in a tariff union.

*Prosperity*

This preferential policy was initiated over the protests of Canadian manufacturers who predicted dire consequences from this lowering of the tariff walls. Nevertheless, the enactment of the new tariff law was followed by a period of prosperity during which the volume of trade between Canada and the mother-country steadily increased. The Liberal party naturally claimed the credit for this expansion in trade. The tariff, however, was only one small factor in a development which was world-wide and which was, to a large measure, to be attributed to a rise in prices caused by new gold discoveries in the Yukon region and elsewhere, and to the disappearance of the frontier of the United States which caused the current of immigration to be directed into the Canadian West.

*Westward  
expansion*

The Dominion Government became enthusiastically interested in all measures which might stimulate the material development of Canada. Late in 1896 Clifford Sifton of Manitoba entered the cabinet as minister of the interior, and under his skilful and enthusiastic direction great changes were made in the immigration statutes and in the land laws of the Dominion. After having donated 32,000,000 acres in all to the railroads, the Dominion government in 1896 abandoned the practice of land grants and began to support the railroads by cash subsidies and guarantees of bonds. Homestead legislation which had been passed by the Conservatives was continued in force, and the process of securing homesteads was simplified still further.

*Homesteads*

From 1900 to 1906 the number of homestead claims filed increased over 500 per cent, and a vast immigration service was organized to advertise abroad the attractions of Canada in order to attract desirable settlers. The number of immigrants from the United States and Europe increased very rapidly. Various departments of the Dominion government undertook to give aid to the farmer, and experiment stations, farmers' bulletins, farm exhibits, and other devices were used to stimulate the development of the new West. Canada seemed at last to have reached the years when her dreams of nation-

hood were to be fulfilled, and the prime minister predicted enthusiastically that "the twentieth century belongs to Canada."

In 1897 Laurier went to London to attend the Diamond Jubilee of the accession of Queen Victoria and to participate in what was the third imperial conference between the representatives of the mother-country and the spokesmen of her widely scattered dominions. For Laurier the conference proved a wonderful and joyous occasion. His charm and his oratory easily made him the most popular figure among all those who came from the Empire to attend the jubilee of their beloved Queen. The Cobden Club gave Laurier a medal for his services to the cause of freer trade within the Empire, the Queen made him a knight, and in France, ancestral home of his beloved French Canadians, he received the ribbon of the Legion of Honor. Small wonder that Laurier's political foes charged that the great democrat was fast becoming an imperialist. Indeed, it was during this visit that Laurier made speeches that were more imperialistic in tone than any he made before or after that occasion. His latest biographer leaves us to guess whether this new imperialistic note was due to the splendor of the occasion or to the effects of too much champagne at state dinners. Withal Laurier insisted on the preservation of Canadian nationality and on equal status for the dominions and Great Britain within the Empire. Even so, this new conception was a far cry from the belief of the young Liberal of earlier days who had prophesied that Canada's destiny was complete independence.

*Imperial  
conference  
of 1897*

Laurier's European journey did much to advertise Canada to the Empire and fitted in admirably with Canada's plans to attract the attention of prospective settlers to the economic opportunities the Dominion had to offer. After visits in Ireland and in Rome, where he had an audience with the Pope, Laurier returned to Canada to be received with a round of honors rivaling those he had won abroad.

*Laurier visits  
Continent*

It was not long before this new interest in imperial unity was subjected to a critical test. In 1899 England went to war with the Boers of South Africa. The hostilities were the result of British investments and aggressive enterprise in conflict with the Dutch farmers of South Africa who resented the exploitation of their gold and diamond fields by foreigners. In a large degree the war was the familiar story of a small country of pastoral and agricultural people, and with large and undeveloped resources, coming into conflict with the relentless juggernaut which we call modern, progressive, capitalistic civilization. British investors and gold-seekers in the South African republic quite naturally demanded political power to protect their financial interests, and denounced the backward Boers who resisted the spread of more advanced British ideas into their domain. With such a ruthless imperialist as Joseph Chamberlain in control of British diplomacy, war could not be avoided. When it came, its causes were skilfully presented in a way that was calculated to enlist the support of public

*Boer War*



opinion in England and in the British dependencies for a righteous, defensive war.

*Question of  
Canadian  
participation*

Canada and Laurier were placed in a difficult position by the Boer War. Should the Dominion which had pointed the way toward a closer union by preferential tariffs take the lead also in building a new imperial union of defense? Would it be proper and expedient to furnish Canadian troops for a British imperial war overseas in a cause in which Canada was after all not vitally concerned? In earlier wars Canadians had volunteered for service under the British flag, and the government had offered to raise troops at the time of the British war scare with Russia in 1877 and during the troubles in the Soudan in 1884, but Canada had never before officially equipped and supported any contingents overseas.

*Differences of  
opinion*

In response to the rising spirit of nationalism and to the new prestige of a British imperial union, many Canadians began to besiege the Government with requests to participate officially in the Boer War. These demands poured in from mass meetings, and through petitions, and were freely discussed in the public press. On the other hand, Quebec remained luke-warm on the matter of sending her sons to fight on foreign soil. The old French province had behind it a great tradition of pacificism and non-participation in outside affairs which had been carefully and consistently nurtured by the Church. French Canadians regarded themselves as the real Canadian nation, rooted in the soil of North America for centuries, with no ties binding them to the intricate details of British diplomacy on the other side of the globe. The Canadian people and the Liberal cabinet were divided on the issue of participation in the war, and Laurier, therefore, had to formulate a policy which might be defended in Quebec as well as in Ontario.

*Laurier's policy*

Parliament was not in session when this decision had to be made. An order-in-council was therefore issued to the effect that the Government would equip and transport 1000 volunteers to South Africa, but that it would not send an official Canadian contingent. It was further stipulated that this action should not become a precedent. On October 30, 1899, the Canadian volunteers sailed from Quebec. Most of the French Canadians opposed the Government's decision because it involved Canada in imperial affairs. Likewise many Conservatives denounced Laurier for his imperialistic policy. Henri Bourassa, the grandson of Papineau, and a member of Parliament from Quebec, promptly resigned his seat in protest against the Liberal policy, only to be reëlected immediately by his constituents on an anti-participation platform. As Quebec gradually cooled on the issue of participating in the war, Ontario became red hot for greater support of the British Empire, and once again there was serious danger of racial and religious cleavage in the Canadian Dominion.

Before the close of the war, more than 7000 volunteers went to South Africa from Canada. About one-third of these were sent by

the Dominion at a cost of nearly \$3,000,000. Nearly twenty-five hundred men were officially recruited and partially supported by the government. Most of the others were raised by the British government or by Lord Strathcona with no cost to the government of Canada. One battalion released the British garrison at Halifax for duty in South Africa.

*Canada's  
share in war*

In 1900, at a general election, the Liberal party submitted its record to the people for approval. The Government's policy in the Boer War was discussed in the campaign with no little heat and prejudice. Laurier defended his course on the ground that to refuse to lend any support to the Empire in its time of need would have destroyed the unity of the Dominion by arraying the French stock against the English. The venerable Tupper, still actively campaigning for the Conservatives, denounced Laurier in the English sections of Canada for having responded too late and too feebly to the cry of the mother-country for help, while in French Canada he tried to represent the Liberals as too imperialistic. No intelligent discussion of the Liberals' domestic program was possible so long as the war issue could be exploited in this fashion in order to arouse racial and religious prejudices.

*Election of 1900*

In the elections of 1900 the Liberals retained control of Dominion affairs. They lost fourteen seats in Ontario, but this loss was more than offset by carrying fifty-eight of the sixty-five seats in Quebec, and by substantial gains in the West and in the Atlantic provinces. Dr. Tupper himself went down to defeat, and in 1901, when he was more than eighty, he resigned the active leadership of the Conservative party to Robert Laird Borden of Halifax, an able lawyer and a special student of constitutional problems.

*Results*

Laurier's power and prestige continued to grow. He now dominated his party and his country as thoroughly as Macdonald had in earlier years. Among the routine of administrative details and minor legislative enactments during this second Liberal Parliament, diplomatic negotiations with the United States over the Alaskan boundary and other minor controversies, and the promotion of a second trans-continental railway stand out as the most important achievements.

*Laurier's power*

When the United States acquired Alaska from Russia, its boundary, as fixed by an agreement of 1824 at ten marine leagues from the sea, was of little concern to any one. It was not until after the discovery of gold both in territory belonging to the United States and to Canada that the accurate delimitation of the Alaskan boundary became important, because the profitable exploitation of the resources of the interior depended very largely on easy accessibility to the ocean. It was discovered presently that if the American definition of the boundary should be accepted, Canada would be deprived of every serviceable harbor on the Pacific Ocean.

*Alaska  
boundary  
controversy*

In 1898 the United States and Great Britain agreed upon a joint commission to settle a series of Canadian-American issues, the most

*Earlier  
attempts at  
settlement*

important of which concerned the Atlantic fisheries and the boundary between Alaska and Canada. Six commissioners were selected by each country, and it is significant to note that while on earlier occasions, as in 1871 and 1887, the Canadian representatives had constituted a minority of the British commissions, this time they were in a position to control the negotiations. After a number of sessions, the commission adjourned without reaching a satisfactory solution of the Alaska boundary controversy. It was successful, however, in working out new regulations for the Bering Sea and Great Lakes fisheries and in settling other matters such as mining rights and bonding privileges.

*Major issues*

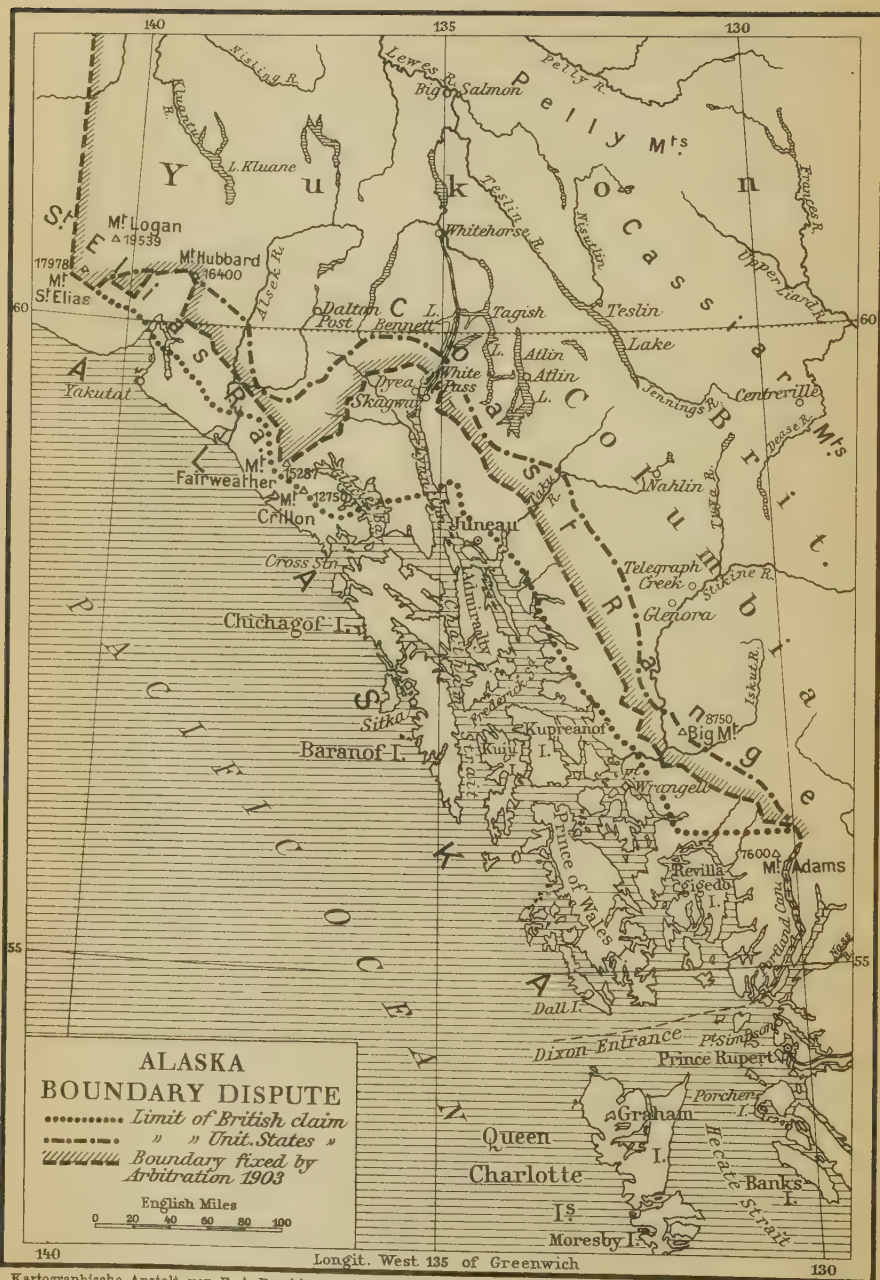
In 1903 negotiations to adjust the Alaskan boundary were renewed. As has been suggested the controversy had assumed new significance with the great gold rush in the late 1890's to the Klondike fields. According to the treaty of 1825 between Russia and England, the boundary between British North America and Russian Alaska started at the southernmost extremity of Prince of Wales Island and extended northward along the Portland Channel to the fifty-sixth parallel. From this point it was to proceed by a line ten marine leagues from the sea, to longitude  $141^{\circ}$ , and thence to the Arctic Ocean. Wherever the mountain boundary ran more than ten marine leagues from the sea, presumably the line would follow the sinuosities of the coast. The real significance of the controversy lay in the efforts of each country to control the Lynn Canal approach to the Klondike gold fields. The inlet to this canal lay within the strip of coast claimed by the United States. The chief questions which needed to be answered were: what was the Portland Channel? what mountains were meant in the treaty of 1825 as defining the boundary? and whether the ten league line should follow the curvatures and indentations of the coast? If the United States should succeed in establishing the last contention, it would virtually control all the approaches to the Yukon mines. Ignoring the many details of this complicated boundary question, the controversy may be summarized by saying that the Canadians wanted a boundary line which would run along the more prominent landmarks and especially along the mountain heights which ran parallel to the coast. The United States government, on the other hand, contended for a line which would follow the sinuosities of the coast.

*Method of  
settlement in  
1903*

The treaty signed between the United States and Great Britain in 1903 stipulated that the dispute be submitted to a board of "six impartial jurists of repute," who should "consider judicially the questions to be referred to them." In other words, these jurists were expected to make a judicial and not a political or practical interpretation of the old Anglo-Russian treaty of 1825 and the American-Russian treaty of 1867 by which Alaska had been transferred to the United States. Great Britain and Canada appointed three jurists of repute to the commission, Lord Alverstone, lord chief justice of







England, Judge Armour of the Canadian supreme bench, and Sir Louis Jetté, lieutenant-governor of Quebec, formerly a judge. On the death of Judge Armour, Allen Bristol Aylesworth, a distinguished Toronto lawyer, was appointed to the commission.

Evidence has recently come to light which seems to indicate that President Roosevelt gave assurance in advance to some of the party leaders in the United States as to the personnel of the American delegation. He did this apparently in order to induce the United States Senate to ratify the treaty. At any rate, the American President soon abandoned the suggestions of his secretary of state, John Hay, to appoint members of the United States Supreme Court as the American commissioners—an arrangement which would have carried out the spirit of the agreement with Great Britain and Canada. Instead, the American representatives were Senator Henry Cabot Lodge of Massachusetts, who had already denounced Canada's claims as "baseless and manufactured," Elihu Root, a member of the Roosevelt cabinet, and Senator George Turner from the state of Washington, who had steadily opposed arbitration of the controversy in his speeches in Congress. A recent historian of the diplomatic relations of the United States has called President Roosevelt's appointments "a breach of faith." The Canadians insisted that they were the "victims of a confidence game" and that they had been inveigled to submit their claims to a commission the American members of which had virtually decided in advance to uphold the contentions of the United States at all costs. President Roosevelt, moreover, issued what practically amounted to an ultimatum and threatened to close all discussion of the question if the attempt to arbitrate failed.

The tribunal met in London in the fall of 1903, and its award was signed by the three representatives of the United States and by Lord Alverstone. The Canadian members refused to sign. Great Britain was very anxious at the time to avoid difficulties with the United States and this probably accounts for the action of the British representative. The decision of the commission accepted the American contention that the ten league boundary line must follow the indentations of the coast rather than the crests of the mountains, and thus practically cut off the Canadian Yukon territory from access to the Pacific Ocean through Canadian territory. Lynn Canal and other inlets were awarded to the United States. Up to this point the decision was probably not so unreasonable or unfair as it was thought to be at the time. It is doubtful whether that part of the decision which located the Portland Channel is equally defensible. Here the line was drawn so as to allot to the United States two small islands which the Canadian members of the commission maintained Lord Alverstone had admitted belonged to the Dominion.

The Americans were naturally quite satisfied with the results of the arbitration, but in Canada the award led to an outburst of

*"Breach of  
faith"*

*Award of  
tribunal*



*Effect in  
Canada*

indignation. Once again it was argued that Canada was being sacrificed in the interests of British diplomacy. Lord Alverstone was furiously assailed and accused of holding private meetings with the American commissioners at which he sold out the rights and claims of Canada. Even Laurier made some bitter comments on the results. It is the judgment of later years, however, that the award was perhaps fairer than was originally supposed.

*Second Pacific  
railway*

In 1903 the Liberal Government made plans for a second transcontinental railroad to parallel the Canadian Pacific to the north. The rapid development of the West and increasing general prosperity seemed to justify such a vast undertaking. Land values were rising, and the population of western towns like Winnipeg increased four or five times within the short space of a decade. In spite of the rapid extension of the mileage of the Canadian Pacific Railroad system, the Government believed that conditions warranted a new road. A contract was entered into with the Grand Trunk Pacific by which the Government undertook to build a transcontinental line from Moncton, New Brunswick, to Winnipeg while the company was to continue the road from Winnipeg to the Pacific coast. The Government agreed to lease its portion of the road to the company for fifty years at a rental based on three per cent of the construction cost, no rent, however, to be paid for the first seven years of the lease. It was stipulated that the western section of the road must be finished within five years, and the Government guaranteed the interest and much of the principal of the company's bonds to an amount equaling seventy-five per cent of the building cost. Provisions permitting the government to regulate rates were included in the agreement.

*Grand Trunk  
Pacific*

This Grand Trunk Pacific agreement was forced through Parliament by a strict party vote. Some of the Liberals objected to the terms of the contract and Laurier's minister of railways resigned in protest. It was pointed out by critics of the Government that the country would own the section of the road least likely to pay dividends while it donated the profitable portion to the company. Borden, the Conservative leader, opposed the measure because it tended to postpone the day of government ownership of all the Canadian railway lines.

*Completion of  
project*

In 1915 the Grand Trunk Pacific completed the connection between Moncton in New Brunswick and Prince Rupert on the Pacific coast. The road proceeded from Moncton to Quebec and then to Prince Rupert by way of La Tuque, Cochrane, Sioux Lookout, Winnipeg, Melville, Saskatoon, and Edmonton. In its eastern portion the new road opened up much of the back country of Quebec and Ontario. The project was completed at a later date than the contract provided, and the Government found it necessary not only to extend the time limit but also to increase its financial guarantees to the company. The road was excellently built at a total cost of \$300,000,000. In 1915 under the stress of war conditions the company refused to lease

the government portion of the line, and it was, therefore, retained as a nucleus for the Canadian National Railways, Canada's experiment in government ownership and operation.

While these plans were going forward, still a third transcontinental route was being developed from Quebec to Vancouver. The promoters of this enterprise, which was known as the Canadian Northern, were William Mackenzie and Donald Mann, two of Canada's greatest financial wizards. Starting with a hundred miles of road in Manitoba, these promoters, by buying lines in all parts of Canada, soon built up a road of ten thousand miles from ocean to ocean. Their route ran from Quebec up the left bank of the St. Lawrence River to Montreal, thence to Hawkesbury, Ottawa, North Bay, southward from Lake Nippigon to Port Arthur, and thence through Rainy River, Winnipeg, Dauphin, Humboldt, and Edmonton, to Vancouver. The phenomenal feature of Mackenzie's and Mann's projects was that these two magnates constructed and secured control of this vast system practically without investing a dollar of their own money. From the Government the company received subsidies and guarantees for its bonds. From these subsidies and bond sales the road was built while the promoters issued all the common stock to themselves in their capacity as managers and constructing agents. From 1903 to 1914 Dominion Governments, both Liberal and Conservative, guaranteed almost \$100,000,000 of Canadian Northern bonds while the various provincial guarantees amounted to nearly \$135,000,000. In addition the company received subsidies and land grants by skilfully lobbying before the legislatures of the Dominion and the provinces. In 1914 the bubble burst. In spite of feverish expansion into other accessory lines, such as mines, fisheries, lumber camps, and the erection of a chain of hotels and grain elevators, the company found it impossible to continue its process of pyramiding. The government had to come to the rescue, and the road was attached to the government-owned system.

*Canadian  
Northern*

To deal more effectively with the increasing complexities of the railroad problem, and particularly to safeguard the public against exorbitant rates and unfair practices by the companies, a law was enacted in 1904 creating a Canadian Railway Commission. This body was given judicial powers to fix rates, regulate matters of railway operation and management, and settle disputes over railway service subject to appeal to the courts on points of law. In many ways the act resembled the legislation of the United States, which had created an Interstate Commerce Commission and had defined its duties.

*Government  
regulation*

In the national elections of 1904 the building of the Grand Trunk Pacific was the leading issue before the country. The campaign was comparatively quiet. Laurier was at the height of his power; he appealed successfully to the national spirit of Canada with a plan for a wholly Canadian railroad from the Atlantic to the Pacific. To his

*Elections of 1904*

opponents, who criticised these expenditures as untimely and unnecessary, the prime minister replied that in view of Canada's unprecedented prosperity and marvellous expansion, delay would be ruinous and unpardonable. The Conservatives had no one to challenge effectively Laurier's popularity with the masses of the people. The elections resulted in a gain of eleven seats for the Government with Liberal majorities in Quebec, Nova Scotia, New Brunswick, and the West.

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## CHAPTER XXIV

### THE LAURIER RÉGIME (1904-1911)

LAURIER was destined to guide the Canadian ship of state for seven years longer. Throughout these remaining years of office he dominated the Government so completely that the Liberal party became almost a one-man party, a situation which obviously had its advantages but which at the same time was likely to prove dangerous for the future of the party. During these years Robert Borden toiled steadily and carefully, if without brilliance, to rebuild the decimated ranks of the Conservatives.

Canada continued to prosper. The West was growing rapidly under the generous land policy of the Government and the extensive immigration propaganda carried on by Dominion and provincial governments, as well as by railroad and steamship lines. In 1897 at the beginning of the Liberal régime, only 700 people had crossed from the United States into Western Canada; by 1911 this "American invasion" had reached 100,000. Immigration from Great Britain more than doubled in the short space of a decade, and in the fifteen years that the Liberals were in power the total immigration to Canada passed 2,000,000. Not all of these immigrants stayed in Canada, to be sure, but the greater number remained. The alarming drift of population from Canada to the United States declined, and from 1900 to 1910 the number of native-born Canadians in the United States increased only 11,000. Of the total immigration of 2,250,000 from 1897 to 1912, 961,000 came from the British Isles and 784,000 from the United States. From 1900 to 1910 Canada grew as rapidly as she had grown in the preceding three decades. In 1891 the Dominion population was 4,833,239; in 1901, 5,371,315; and in 1911, 7,204,838.

*Years of  
fulfilment*

In response to Canadian immigration propaganda with its highly-developed circulars, exhibits, special agents, and advertisements, thousands of settlers from the continent of Europe were attracted to the Canadian West. Among them were such widely differentiated groups as Icelanders, Russian and German Mennonites, "spirit wrestlers" like the Doukhobors from Russia, Scotch crofters, Italians, Germans, immigrants from various parts of the Austro-Hungarian Empire, Scandinavians, and numerous others. Fully fifty national and racial groups were represented in this great migration, but Canadians generally were little concerned with the problems of assimilation which might arise in the future. The average Canadian found safety in the great variety of groups represented.

*Immigration*

Up to 1885 even Chinese were encouraged to immigrate, because

*Oriental  
immigration*

coolie labor was needed for the construction of railroads and other public works. Since that time, largely due to the agitation of organized labor and the province of British Columbia, Chinese immigration has been effectively checked by a head tax which has gradually been raised to \$500. By a gentleman's agreement Japan agreed to limit the number of laborers emigrating from her empire for Canadian ports.

*Trade  
expansion*

Canada's foreign trade expanded more rapidly in the first decade of the twentieth century than that of any other country save Argentina. Foreign capital poured into Canada for investment, and in 1911 these investments reached the astonishing total of two and a half billion dollars. Canadian wheat exports alone were valued at \$60,000,000 in 1912, and this development was accompanied by a steady increase in the exportation of other products, particularly of minerals and lumber. In 1900 the area which now constitutes the western provinces of Manitoba, Alberta, and Saskatchewan, produced 25,000,000 bushels of wheat; in 1911 its production reached 190,000,000 bushels. To provide for greater transportation facilities 10,000 miles of railways, or an average of two miles per day, were built from 1896 to 1911.

*Two new  
provinces*

By 1905 Alberta and Saskatchewan had reached provincial status and were ready for admission to the Confederation on an equal basis with the older members of the Dominion. The Northwest Territories passed through various stages of government in their political evolution. Since 1888 these territories had been governed by a lieutenant-governor, a council, and an elective assembly. With the inrush of settlers and the rapid expansion of railroad facilities, the inhabitants of the new West demanded full provincial status. By the Act of 1905 the dominion government retained control of the public lands in Alberta and Saskatchewan; subsidies, however, were granted to the new provinces with a lavish hand. Each province received a \$50,000 annual grant, an eighty cents per capita allowance until its population reached 800,000, a special annual grant of nearly \$100,000 for a five year term in order to construct public buildings, and an allowance of five per cent on over \$8,000,000 because the provinces were free from debt at the time they entered the Confederation. To protect the rights of minorities, the Act contained a provision guaranteeing the right to maintain separate schools (with certain requirements as to standards) and exempting religious minorities from paying taxes for any schools other than their own. All religious instruction was to be limited to the last half hour in the school day, and pupils might be excused from attending these exercises. Although this arrangement was substantially a restatement of the compromise by which the Manitoba schools question had been settled a decade earlier, it led to considerable protest in the cabinet and among certain Protestants who denounced the arrangement as an "endowment of clerical privilege."

A number of important laws were enacted during this period. In

1905 the salary, or "indemnity," of members of Parliament was raised from \$1500 to \$2500 per year, the prime minister's salary was increased to \$12,000, and a salary of \$7000 was provided for the leader of the Opposition in Parliament. Proportional increases were provided for judges, and an attempt was made to establish a system of pensions for high government officials. In 1908 in response to a new appreciation of the need for social and humanitarian reforms, an act was passed providing a system of old age annuities by which individuals might begin to contribute to this fund at the age of five while the government met the expense of administration and eventually repaid these savings at four per cent compound interest as a kind of self-earned old age pension. Legislation was enacted to improve further the civil service system and to safeguard the purity of elections by providing publicity for campaign contributions and prohibiting donations from corporations. Severe penalties were also provided for tampering with the voting process. Measures of this kind were increasingly necessary as the influence of big business in politics became more pronounced.

*New legislation*

In 1906, due to the influence of an organization interested in the better observance of the Sabbath, known as the Lord's Day Alliance, a Dominion law was passed prohibiting excursions and performances where fees were charged, as well as most kinds of labor, on Sunday, but an attempt on the part of the Alliance to extend still further these restrictions on personal liberty led to a sharp reaction.

*Lord's Day Act*

To deal more effectively with transportation problems from the point of view of the public interest, the powers of the Railway Commission were increased and telegraph and telephone companies were brought under its control. In 1907 because of increasing friction between capital and labor attendant upon Canada's industrial expansion and because of the consequent injury to the public resulting from the industrial anarchy which usually accompanies strikes and lockouts, the Lemieux Act was passed in an attempt to avoid a suspension of operations on public utilities. The law was really drafted by William Lyon Mackenzie King, the young deputy minister in the department of labor which had been created in 1900. The official title of the statute was the Dominion Industrial Disputes Investigation Act. In substance, the act prohibited strikes and lockouts on all public utilities until after a report had been made by an investigating board of three, representing respectively the interests of labor, the employer, and the public. This investigating board was given judicial powers to subpoena witnesses and documents, and the term public utility was defined in a broad way to include mines, gas, electric, and street railway companies, as well as the industries more commonly accepted as utilities. The law did not compel either party to the dispute to accept the findings of the investigating board, but the pressure of public opinion was usually sufficient to force their acceptance. This experiment in preventing industrial disturbances

*Capital and  
labor*



attracted wide attention outside the Dominion. The act, however, was recently declared *ultra vires* by the Privy Council.

New  
immigration  
law

The immigration law of 1906, modeled on the legislation of the United States and Australia, provided for an immigration service within and outside Canada for protection of immigrants en route, for the exclusion of undesirables, and for the deportation, at the expense of the transportation company, within three years of their arrival, of those who entered illegally.

Decline of  
Liberals

In spite of these and other notable achievements, the parliamentary sessions of 1906, 1907, and 1908 were better known for the Government scandals which they brought to light than for their constructive achievements. The Liberal party was beginning to show the effect of long years in office without the checks of a vigorous and powerful opposition. Ugly charges running all the way from inefficiency to positive graft and corruption were made against the administration of the fisheries and the department of the interior. The interior department seemed particularly to be involved in questionable deals with grazing and lumber interests which came to the department for leases and concessions. The Liberal Government also was charged with favoritism and corruption in the matter of railroad charters and in the administration of the tariff, with tampering with elections and buying votes, and with building up a powerful political machine by manipulating the civil service system so as to satisfy the job-hunters of the party. What in the United States is known as "pork barrel" legislation was also flourishing in Canada, and government funds were being spent on costly post-office buildings, internal improvements, and public works which were more often intended to build up the political fortunes of the local member of Parliament than to meet the crying needs of the community. Laurier tried to disarm his critics by advocating still further extension of the civil service system and by promising a thorough-going investigation of all the charges against his administration.

Effects of  
industrial  
revolution

It was apparent that the morale of the Liberal party was deteriorating. There were even charges of personal delinquency and rumors of drunkenness on the floor of Parliament. Canada, moreover, was entering upon that stage of her industrial development when big business tried to control the government, and when industry leaned more and more heavily on the politician. An air of cynicism was beginning to permeate business and politics. In the words of Tarté, a member of the Government, "elections are not won by prayers." Capitalists and active businessmen, dependent on the government for charters, tariff privileges, and other special aids, did not hesitate to justify any methods of political management which promised success for their enterprises. Canadian politics, like those of the United States, began to show the effects of "the tugs and pressures" exerted by the leaders of the new capitalistic order who were none too scrupulous in the methods used to extort special favors or legis-

lative immunity for their investments or in their attempts to create monopolies. In local politics, due largely to the effect of the factory system on the development of congested urban centers, the political "boss" and the party "machine" were slowly rising to a new position of dominance. Canada discovered—though perhaps not so rapidly or so strikingly as the United States—that the industrial revolution brought disadvantages as well as benefits, and that the country was face to face with a rising flood of materialism and cynicism in the field of practical politics. Humanitarian idealism was being rapidly transformed in many quarters into a smug conservatism.

In the election campaign of 1908 the Conservatives devoted much of their energy to the airing of scandals in the government service. On the constructive side they advocated government ownership of public utilities like the railroads, telegraphs and telephones, publicity for campaign expenditures, reforms in the civil service and the Senate, government cold-storage plants and a system of rural mail delivery, more effective government regulation of certain corporations, and a number of internal improvements such as waterways and harbor facilities. Borden and his lieutenants waged an able fight, but the Liberals benefited by the continuing prosperity, by their record of social legislation, and most of all, by the magnetic figure of their great leader who was pleading with the voters for one more endorsement so that he might finish his life's work. The storm center of the campaign was the province of Ontario.

*Issues of 1908*

Once more the Liberals received the approval of the Canadian people, this time, however, with a considerably reduced majority. The Conservatives won a majority in Ontario, Manitoba, and British Columbia, the Liberals in the other six provinces. The total Liberal majority of sixty-two seats in 1904 was reduced to forty-seven. In the three years left to Laurier as prime minister of the Dominion, relations with foreign countries bulked large and quite overshadowed all other problems of the Government.

*Another  
Liberal  
victory*

In 1909 in response to a growing demand from a large element of the population and the public press, the Liberals were forced to consider the problem of Canadian naval defense and the possible aid Canada could and should give to the mother-country in case of war. The English-speaking world was greatly excited at the time by the race for naval armaments in which England and Germany were engaged. Great Britain, whose security must necessarily depend on her navy, looked with greatest alarm upon the efforts of Germany to extend her colonial possessions and to provide a navy not only large enough to insure Germany a dominating power on the seas but also to match her military power on the continent of Europe. Stimulated by propagandists and munitions interests desirous of large contracts, Anglo-German relations soon became so tense that many Canadians were convinced that Germany was plotting a European war and that consequently England must arm to the teeth. From

*Naval defense*

many quarters came the demand that Canada as a matter of filial duty and also for her own preservation should bear her share of the ever-mounting burden of armaments which it was generally supposed was the best guarantee for the preservation of the peace of the world.

*Laurier's  
dilemma*

Laurier found himself in a very difficult position. He had participated in all the imperial conferences held during his term of office, and he had helped forge the new commercial bonds which were to unite the Empire in a great economic union. He had pointed with pride to Canada's place in the British commonwealth of nations. On the other hand, Laurier had steadily opposed all attempts of British imperialists, such as Joseph Chamberlain, to reduce this newly achieved unity to the cold, rigid basis of legal enactment or to a new written constitution which should apply to the whole Empire. At the conference of 1902 Laurier had opposed the attempt to create an Imperial Council, and he had not deviated from this position in later meetings of the representatives of the Empire. The conference of 1909 specifically concerned itself with the matter of defense, and the Anglo-German naval competition undoubtedly was the most important issue discussed by British leaders with the dominion prime ministers.

*Quebec  
nationalists*

The situation in the province of Quebec added to the difficulties of the French-Canadian prime minister. Quebec was the stronghold of his party, and the preservation of the solid delegation of Liberal members from the province of Quebec was essential to the prime minister's continuance in office. Yet Quebec was becoming alarmed by the steady development of events which seemed to be drawing Canada more and more deeply into the vortex of Old World diplomacy and rivalries. The French Canadians were true nationalists, in the sense that they believed in a Canadian nationalism absolutely free to determine its own life without entanglements and commitments to British diplomacy. Just as in 1899 many French Canadians could not understand why Canada should participate in a war with the Boers in a part of the world so remote that its affairs could never affect Canada, so in 1909 they feared the results of the rising tide of imperialism. From their point of view it was imperative that Canada preserve her "splendid isolation."

*Bourassa*

By 1909 this isolationist, and to a large extent pacificist, agitation in Quebec had crystallized into a political movement under the leadership of Henri Bourassa. Bourassa was born in Montreal in 1868 of French-Canadian parents. His father was an author and painter of some note, his mother was the daughter of Papineau, the rebel leader of 1837. Henri Bourassa enjoyed the advantages of an excellent education and gained considerable prominence by his literary ability. In 1896 he entered the Dominion House of Commons as the member for Labelle, Quebec—a seat which he held until 1907 when he resigned to become a member of the legislature of his province. At the time of the Boer war, as has been pointed out, Bourassa had resigned



his seat at Ottawa as a protest against the Government's policy of outfitting volunteer Canadian contingents for service overseas, and had been reelected by his constituents by acclamation.

When Bourassa entered the Ottawa Parliament he was considered one of the most brilliant of the younger members. He was a masterful orator in both English and French, he enjoyed the friendship of the prime minister, and there was some talk of including him in the Government and raising him to high position in the councils of the Liberal party. After the break with Laurier in 1899, Bourassa slowly drifted into opposition and became the organizer and leader of the Nationalists of Quebec. His friends honored him for his loyalty to his convictions while his enemies declared that he had left his former allegiance because his ambition for high office had not been sufficiently recognized. Bourassa quickly rallied around him all the discontented groups in French Canada and welded them into a new and powerful political organization.

*Bourassa's  
break with  
Laurier*

Among the Nationalists were to be found many of the Roman Catholic clergy, who opposed war and all plans to break down French-Canadian isolation, as well as most of the French Canadians who were by nature anti-imperialistic and had viewed with alarm the work of the various imperial conferences. The controversies with Ontario Protestants over separate schools, differences in religion, and the use of the French language, added to their anxiety. On this background of prejudice, racial antagonisms, and injured pride, it was comparatively simple to build an organization pledged to defend French culture and institutions against all attempts to absorb French Canada in a British dominion or in a British commonwealth of nations. A program of social and economic reforms was added to these anti-imperialist principles. Some of the Nationalists may have contemplated independence as the ultimate goal of their agitation, but most of them were sincere in maintaining that they represented the true Canadians who were patriotically interested in preserving Canadian nationhood.

*Background of  
Nationalist  
movement*

The Canadian Nationalist League was formed by a group of Montreal citizens in 1903 under the able leadership of Oliver Asselin. Its platform asserted the rights of French and Catholic minorities to separate schools, declared French one of the official languages of the entire country, favored peopling the West with native Canadians rather than with immigrants, and sponsored the conservation of the Dominion's resources and the nationalization of the railroads. For its foreign policy the new organization advocated the greatest political, commercial, and military autonomy for Canada consistent with the preservation of the colonial tie. It stood further for the greatest possible provincial autonomy within the Dominion and the development of a distinct Canadian nationality. The nationalist movement grew rapidly after 1903, deriving new support from the antagonisms aroused by the separate schools question in the bill

*Program of the  
Nationalists*

organizing Alberta and Saskatchewan in 1905, from the Lord's Day Act of 1906, and from various happenings in the provincial politics of Quebec. In 1909 the agitation for a Canadian navy, to help the Empire cope with the growing German menace led to long and heated discussions throughout the Dominion, and it was during this controversy that the Nationalist movement reached its highest effectiveness before the outbreak of the Great War in 1914.

*Formation of  
Canada's navy*

Liberals and Conservatives alike believed that Canada should share in the burdens of imperial defense, but they could not agree as to the best method for making their contribution. In 1910 the Government, after much deliberation and hesitation, decided to sponsor a naval service bill designed to develop a Canadian navy under the control of the Dominion government. An initial appropriation of \$10,000,000 was proposed for this purpose, and it was provided that in case of emergency, and subject to the prior consent of the Canadian Parliament, the Dominion navy could be turned over to the British Admiralty for service. It was specifically stated that enrollment for naval service was to be entirely voluntary. Subsequently the Canadian government took over the dock yards at Halifax and Esquimalt and bought two British cruisers, the *Niobe* and the *Rainbow*, to serve as the nucleus for the Canadian navy and as training vessels for volunteers for the naval service. In 1911 a naval college was opened at Halifax.

*Laurier's  
middle course*

It is clear that with these proposals Laurier was trying to steer a middle course. England had asked her dominions to create fleet units consisting of one dreadnought, three armored cruisers, six destroyers, and three submarines. Some Canadian imperialists favored a program of contributions by Canada to the British Grand Fleet; others favored contributing dreadnoughts or their value in an emergency only, and organizing a Canadian navy as a permanent policy. Bourassa and his Nationalists represented the other extreme and objected both to a Canadian navy and to contributions to the imperial navy. Perhaps somewhere between these extreme positions, the great majority of Canadians took their stand. They probably wished Canada to develop her naval defenses, but preferred a moderate Canadian navy to a policy of contributions to Great Britain. It was this middle group whom Laurier sought to satisfy. Frederick Monck, the leader of the Quebec Conservatives, opposed all entanglements in imperial affairs and advocated a popular referendum on the new policy.

*Conservative  
opposition*

The naval bill was attacked from many angles in Parliament. Borden, though favoring some kind of a naval bill, denounced this particular measure as an extravagant waste of the public funds without any significant results. The Conservatives as a whole criticized Laurier's "tin pot navy" and pointed out that the stationing of the *Niobe* (11,000 T.) on one coast and the *Rainbow* (3600 T.) on the other side of the continent was a ridiculous way to defend the Dominion from naval attacks. Borden argued that it would be better policy

to send England the money for the construction of a dreadnought to be added to her battle fleet, but, in any case, he demanded that the people of Canada be consulted beforehand on so important a measure. It is apparent from the foregoing that the Opposition was by no means a unit in the arguments presented.

The debate on the naval service bill furnished the opportunity for a general discussion of Canada's status and obligations in the Empire, and Bourassa and the Nationalists made the most of this opportunity to force the complete issue into the open. The fiery Quebec leader denounced the navy bill in the most violent language and prophesied that the next step would be the drafting of Canadians for gun fodder in Europe's wars. Laurier was described as the tool of the British imperialists and the munitions manufacturers. Bourassa made some able and penetrating analyses of the European system of alliances and secret diplomacy and called attention to the vague features of the bill providing for the use of the Canadian naval force in imperial emergencies. To further his cause, Bourassa, in January, 1910, issued *Le Devoir*, an evening journal which soon became the official organ of the Nationalists.

*Canada's status  
in Empire*

Laurier appealed to French and English Canadians to unite in support of this great national program and argued that it was no longer possible for Canada to stay out of England's wars. "When Britain is at war, Canada is at war," he declared courageously, "there is no distinction." Laurier's "solid Quebec" now became a "house divided against itself." A Nationalist candidate carried Laurier's home constituency of Drummond-Arthabaska, which had voted Liberal since 1887, and Bourassa succeeded in winning for his program the *ultramontane* element of the clergy and many of the younger churchmen and college students of the province as well as some former members of the Conservative party.

*Laurier's views  
on imperial  
relations*

The Liberals were successful in carrying their naval policy through Parliament, but the issue was projected at once into the next election campaign as an important party question. At the same time government expenditures on the Canadian militia were steadily mounting, and plans were being perfected for the coöperation of Canadian troops with the British General Staff in case of emergency.

*Naval policy  
as election issue*

In 1910 the controversy over the fisheries which had raged intermittently for a century and a quarter was at last definitely settled by reference to the Hague Tribunal. Once again, in 1905, the *modus vivendi* of 1888 had been disturbed by Newfoundland's legislation forbidding the sale of bait and supplies to foreign vessels. This unfriendly legislation was clearly a maneuver to force the United States to open its ports free of duty to Newfoundland's products, but it was promptly circumvented by the device of the American companies of employing Newfoundland fishermen to do their work for them. When this, too, was prohibited by law in 1906, the controversy threatened to become serious. The United States government protested against this

*Final  
settlement  
of fisheries  
question*



unfriendly legislation; Great Britain disallowed the Newfoundland statute; and a series of notes passed between American Secretary of State Elihu Root, and Sir Edward Grey of the British Foreign Office. The result was a new *modus vivendi*. Finally in 1907 the United States proposed that the entire controversy be submitted to the Hague Tribunal for adjudication and a treaty to this effect was signed in 1909.

The arbitration tribunal was selected from the panel of the permanent court at the Hague. The United States was represented by George Grey, a judge of the Circuit Court of Appeals, and Great Britain's representative was Sir Charles Fitzpatrick, Chief Justice of Canada. Three other members, from Austria, Holland, and Argentina, completed the tribunal. The award was made public on September 7, 1910. On many of the essential points the decision was against the contentions of the United States. The award acknowledged Great Britain's sovereign right to regulate the fisheries, but provided that regulations must be bona fide and in accord with treaty provisions; a mixed commission was created to pass on the reasonableness of these regulations. The three mile line along the Canadian coasts was drawn so that it practically coincided with the claims advanced by Great Britain and Canada during earlier controversies. The award settled other minor issues, and in 1912 other details were disposed of by a treaty. Two years earlier, as further evidence of the new spirit of arbitration and comity between neighbor nations, a treaty had been concluded providing for a permanent International Joint Commission to which Canada and the United States could refer any dispute for settlement, if the United States Senate and the Canadian cabinet agreed to this method of dealing with the controversy.

Important legislation, such as the law of 1909 which created a commission to conserve Canada's natural resources, was lost sight of in the closing years of the Liberal régime because of the rising tide of tariff agitation. In spite of Liberal professions of interest in a lower tariff, the "National Policy" had remained virtually undisturbed during the period that the Laurier Government was in power. Tendencies to tinker with the tariff and apparent revision of rates downward were often offset by new bounties and subsidies to specially favored industries.

The manufacturers of Canada continued to agitate for higher protection, and "infant industries" now grown quite lusty cried for still more milk from the tariff bottle. A new movement for radical tariff reform was coming out of the West, and it was this agitation which compelled the Government to "steer west" in its tariff program. In practically every political campaign promises had been made to the farming, lumbering, and fishing interests to reduce the tariff and to provide closer commercial relations with the United States. These campaign promises, however, were quickly forgotten once the party was safely returned to power. Even if the Canadian government had been seriously interested in tariff reform, it would

*Award of  
Hague  
Tribunal*

*Closing years  
of Laurier's  
régime*

*Revival of  
tariff agitation*

not have been possible to get the ear of the United States prior to 1910, for reciprocity proposals. From 1866 to 1898 no less than seven offers for reciprocal trade agreements were rejected by the United States government.

In the first decade of the twentieth century prosperity began to lag in the agricultural regions, and notably in western Ontario and the prairie provinces. The disappointed farmer began to complain of the "new feudalism" which made him dependent on eastern capitalists. He argued that the money men of the East controlled the railroads, the grain elevators, and the banks upon which the farmer had to rely to get his crops to market. There was a widespread conviction in the agricultural sections that most of the farmer's profits went into the pockets of these middlemen who controlled the adjuncts so necessary to the disposal of his crops. As this economic unrest spread, it was discovered that the protective tariff benefited a group of vested and specially privileged interests in the manufacturing towns—Montreal, the center of "Big Business" in Canada, already had her flock of millionaires—while it did little or nothing for the farmer or the ultimate consumer save to increase the cost of the articles they had to buy.

*Agricultural  
unrest*

When this was once clearly understood the farmers began to organize for the protection of their interests. From 1900 to 1911 six federated associations of farmers arose in the West. Some established their own newspapers to voice the political and economic demands of their section. These Grain Growers' Associations represented a farmers' insurgent movement against the old parties, and embraced in their program many of the elements of state socialism. Indeed, the platforms of these Canadian organizations were very similar to those of the farmers' non-partisan leagues which arose simultaneously in the western agricultural states of the American republic. The Grain Growers' platforms demanded lower duties and reciprocity with the United States, government ownership and operation of grain elevators and meat-packing plants, effective railway legislation, and the encouragement of the coöperative movement. In 1910 a delegation of 800 farmers came down to Ottawa in special trains to remind Laurier of the urgency of their needs and to plead for the farmer's emancipation from the capitalists of the East. Thus a new division appeared on the field of Canadian politics, and this independent movement has continued as an important factor in Canadian history to the present day.

*Embattled  
farmers*

At the same time that the Liberals were experiencing this new pressure for tariff reform from within the Dominion, the United States government also became interested in closer trade relations with Canada. Although the movement for tariff revision in the United States had been thwarted by the passage of the Payne-Aldrich Act of 1909, President Taft felt called upon to defend this protectionist measure. Thereby he precipitated an insurgent movement in his own party. The Congressional elections of 1910 resulted in a sweeping

*Tariff  
question in  
United States*

victory for the opponents of the Republican administration, and the Democrats obtained control of the lower house of Congress. The cost of living was steadily mounting and there were important groups in the United States who attacked the tariff as a maker of millionaires and a vicious form of class legislation. At the same time, American newspapers wanted Canadian pulp free of duty, and many exporters were seeking larger markets for their products. President Taft, desiring to do something to reduce the cost of living and to retrieve his political fortunes, at this critical juncture in the affairs of his administration decided to sponsor an offer of reciprocity to Canada.

*Reciprocity  
negotiations*

Formal negotiations for a reciprocity agreement began in November, 1910, between members of the United States and the Canadian governments meeting at Ottawa. These discussions were later renewed at Washington. At the suggestion of the Canadian representatives, it was agreed that a friendly reciprocal arrangement brought about by mutual legislation would be preferable to a more formal treaty. The negotiations were conducted in absolute secrecy, and on January 26, 1911, the agreement, together with all official correspondence pertaining to it, was submitted simultaneously to the national legislatures in the two countries.

*Policy of  
Laurier  
Government*

To Laurier the offer for a reciprocity agreement came as a distinct surprise, but the proposal was in complete accord with the lower tariff demands of large sections of the Canadian Dominion and with the tendency to negotiate new trade agreements with foreign nations. In 1907, having by this time gained the right to negotiate such agreements directly and without British intervention, Canada had made a new commercial treaty with France. In 1910 she had taken steps toward a commercial understanding with Italy. A separate Canadian consular service was developing rapidly in many parts of the world. Why should not Canada accept the American offer of reciprocity, especially since it was offered on such favorable terms and seemed to be new evidence of the desire of the United States to cultivate closer relations with the rest of the English-speaking world? President Taft had been very eager to extend to Canada the benefits of the minimum rates provided by the Payne-Aldrich tariff, and there was no reason to doubt the sincerity of his reciprocity proposals. Indeed, the offer was far more liberal than had been anticipated.

*Proposals of  
1911*

In the agreement as finally worked out, wide reciprocal free trade concessions, almost as liberal as those of the Elgin Treaty of 1854, were made. To obtain these concessions Canada had to do little else than give the United States the reductions already granted to other countries under the Canadian tariff laws. The reciprocity agreement provided for mutual free lists on leading primary food products such as grains, fish, fruits, dairy and poultry products and live-stock; and for reduced rates on secondary food products such as fresh and canned meats, cereals, flour, etc. In addition, certain commodities, such as cotton-seed oil and rough lumber, which had previously been ad-



mitted free by one country were to be made free by the other, while the tariffs on certain commodities, such as plows, agricultural machines, coal, etc., having different rates of duty, were reduced by the country maintaining the larger rate to the lower rate.

In the United States Congress the reciprocity proposal encountered opposition from representatives of the New England fishing interests, and from some of the grain, lumber, and cattle producers of the West who feared Canadian competition. On the other hand, the proposals were supported on the ground that they would open Canadian resources to the United States and provide a wider Canadian market for the surplus farm and manufactured products of the United States. In the final vote on the measure a majority of President Taft's own party voted against the agreement, whereas the Democratic opposition voted practically unanimously in its favor. It was only by the aid of Democratic votes that the measure received Congressional approval.

*Attitude of  
American  
Congress*

Laurier probably expected the Dominion Parliament to accept reciprocity without much debate. It was what Canada had been seeking on various occasions since the cancellation of the treaty of 1854. The successful negotiation of the reciprocity agreement was hailed at first with enthusiasm by members of the Laurier Government as well as by a large group of Conservatives who still cherished the desire for free trade in the natural products of the two nations, and who regarded the terms of the proposal as a distinct victory for Canadian nationalism. The reading of the astonishingly liberal terms of the agreement by the Hon. W. S. Fielding on January 26, 1911, before the House of Commons was greeted by a storm of applause in which even the Opposition joined.

*Reception in  
Canada*

Slowly, however, a powerful opposition to the agreement developed under the capable leadership of Borden. Some distrusted the liberal nature of the American offer and suspected hidden political motives behind these commercial proposals. Others believed that the future of Canada lay in the direction of greater development of the British market. The protected interests and the railroads and banks so intimately connected with them represented reciprocity as the entering wedge for the destruction of the protective tariff policy, and argued against a measure which they believed threatened the Canadian home market and would undermine industries by the "dumping" of cheaper American products upon the Canadian markets. The transportation interests complained that reciprocity would divert Canadian business to the United States.

*Opposition  
to tariff  
agreement*

The Conservative Opposition soon won the support of three of the most prominent Liberal leaders, including the wealthy Clifford Sifton, who had been Laurier's minister of the interior from 1896 to 1905. The Liberals protested in vain that reciprocity with the United States had been the policy of both Canadian political parties since 1866 and emphasized the splendid market which the American

*Liberal  
defections*

republic, with its population of 90,000,000, would make available to the Canadian farmer.

*Loyalty issue  
again*

Unable to attack the agreement very effectively in its economic details, Borden appealed to the country to support the old "National Policy" and to "Let Well Enough Alone" and also raised the loyalty issue with great effect. National unity was at stake, it was alleged, and Conservative orators pointed out that only by rail and the tariff had Canada been welded into a nation. With the tariff wall broken and the railway traffic running north and south, the Dominion would break up into its original parts each to be absorbed by the adjoining section of the American republic. It became impossible for the Liberals to jam their proposal through Parliament, for the Opposition seized upon the issue to force a dissolution and organized a prolonged filibuster. On July 29 Laurier decided to go to the country and the new elections were fixed for September 21.

*Campaign of  
1911*

The campaign of 1911 lasted seven weeks, and in spite of his seventy years the prime minister was the most active figure in it. The campaign was one of the most hotly contested in the history of the Dominion; in four weeks Laurier delivered over fifty speeches. The most effective weapon of the Conservatives was the appeal to Canadian patriotism. Conservative orators represented the reciprocity agreement as a blow at the British connection and the entering wedge for annexation. They denounced "the treason that barterers our birthright for the gold of the Kings of the South," and argued that it was the duty of all good Canadians to conserve the natural products of their country and not to export them to an avaricious rival. It was in vain that the Liberals argued, to quote Laurier's latest biographer, that "the Canadian farmer who sold a bushel of good potatoes to the United States no more packed his loyalty with it than did Kipling selling a volume of verse in the same market for the same money." Liberal leaders promised that the "just interests" of the manufacturers would continue to receive adequate protection and warned the eastern capitalists against arousing the new western agrarian movement to still more violent assaults upon the money power and the citadels of privilege.

*Indiscretions  
of American  
leaders*

Unfortunately for the Liberals, the Conservatives in their battle against reciprocity were able to quote the speeches of American leaders to good effect. The speaker of the United States House of Representatives had announced, perhaps jokingly, on the floor of Congress that the United States was preparing to annex Canada, and that he hoped "to see the day when the American flag will float over every square foot of the British North American possessions." A comparatively unknown representative from New York actually introduced a resolution in Congress requesting the President to open negotiations with Great Britain for the annexation of Canada, and, although this stupid proposal was quickly killed in committee, Conservative leaders saw to it that it reached the ears of Canadian

voters. Senator Knut Nelson of Minnesota favored annexation, and even President Taft talked rather indiscreetly about Canada being at the "parting of the ways" and held to the British Empire by a "light and imperceptible bond," although his remarks when left in their proper setting were quite harmless. On other occasions the American President described the annexation bogey as "all bosh," and the "dreams of irresponsible imaginations."

In Quebec the Conservatives chose to stress the imperialistic tendencies of the Laurier Government as manifested in the Naval Service Bill of 1910, for in this province they could make little headway with the reciprocity issue. Bourassa and the Nationalists insisted that reciprocity was the red herring dragged across the trail to divert attention from the navy question. Laurier vigorously denounced the "unholy alliance" of Nationalists and Conservatives in his home province. In Ontario and farther west, wherever anti-French and anti-Catholic prejudices were strong because of recent controversies over separate schools and bilingualism, Laurier was depicted as the Catholic prime minister who was under the heels of the papal hierarchy while in Quebec he was attacked as the "tool of the imperialists."

*Sectional issues*

The Conservatives used with great effect slogans like the following, "A vote for Borden is a vote for King and Flag and Country," "Empire or Continent, Which?" and "Vote against National Suicide." It was in vain that the Liberals tried to start a reaction in Quebec with the slogan, "A vote for Bourassa is a vote for Borden," and in Ontario with the reverse sentiment, "A vote for Borden is a vote for Bourassa." Even Rudyard Kipling figured in the campaign when the Montreal *Star* published his letter warning the Canadians that they were but nine million against ninety million Americans, and therefore would find it impossible to maintain Canada's political autonomy.

*Campaign slogans*

In spite of these passionate appeals to prejudice and patriotism, there can be no question that the manufacturers and many of their employees feared a breach in the protective system and honestly believed that it was better not to tamper with the *status quo*. As a result the manufacturers, railroads, and banks in 1911 preferred to contribute to the campaign funds of the Conservatives rather than to the party favoring a change in Canada's protective system. Throughout the campaign the Conservatives were decidedly on the aggressive, for they were "down to fighting weight after fifteen years of hungry opposition." Clifford Sifton, a former Liberal, and one of the most powerful capitalists in Canada, and William Van Horne, the railway magnate, were as important perhaps as Robert Borden in planning and directing the strategy of the Conservative campaign.

*Attitude of organized capital*

In the elections of September 21, the Liberals were driven from power by a Conservative landslide and in the popular vote, the party



*Triumph of  
Conservatives*

of Laurier was in a minority of 47,000. In the Commons the combined strength of the Conservatives and Nationalists was 133 seats while the Liberals obtained only eighty-eight. In Quebec the Liberals carried only thirty-five of the sixty-five constituencies, and these inroads by the Nationalists upon the Liberal stronghold proved decisive. The Conservatives made gains in every province except Alberta. Many of the distinguished figures in the Liberal Government and seven ministers, among whom were Fielding, Fisher, Paterson, and Mackenzie King, lost their seats. In some constituencies young Conservatives with scarcely enough money to qualify for the nomination defeated Liberal veterans who had never lost a political battle, and in several sections of the Dominion the Conservative majorities were so large that some of the Government candidates lost their deposits.

After a premiership of fifteen years Laurier was forced to assume the duties of leader of His Majesty's Opposition. His own judgment concerning the outcome was expressed in a letter written soon after his defeat to an intimate friend. In this he said, "It was not reciprocity that was turned down, but a Catholic premier."

*Causes of  
Liberal defeat*

Students of Canadian political party history, as soon as they had recovered from the shock of this overwhelming political upheaval, began to search for the reasons for the Conservative triumph. No single reason will suffice to explain the results, but among the more important contributing factors may be mentioned, (1) the prosperity which Canada had enjoyed under the old protective policy; (2) the opposition of ultra-Protestants in Ontario to a Catholic prime minister, and of ultra-Catholics in Quebec to a Liberal Catholic prime minister; (3) the superior organization of the Conservatives as contrasted with the decline of Liberal prestige after a long term in office; (4) the opposition of Canadian manufacturers and of transportation and packing interests, and their campaign contributions to the Conservative party; (5) opposition to the Laurier naval bill and to his alleged imperialism; (6) fear that reciprocity would lead to political union with the United States; (7) ill-feeling toward the United States for rejecting Canadian reciprocity proposals in earlier years; (8) the feeling that the Liberals had ruled long enough and that a change in party would benefit the country.

#### SELECT BIBLIOGRAPHY FOR CHAPTER XXIV

The citations at the end of the preceding chapter should be consulted again for a general narrative of events through the election of 1911.

W. D. SCOTT's "Immigration and Population," in *Canada and Its Provinces*, vol. VII, pp. 517-590, is an excellent summary of Canadian immigration, with some attention to each important immigrant group. ELINA THORNSTENSON, "The Doukhobors in Canada," in *The Mississippi Valley Historical Review*, vol. IV, pp. 1-48, is a special study of what is probably the most curiously interesting of the immigrant colonies.

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The details of the reciprocity negotiations of 1911 are available in the periodical literature of Canada and the United States for the time. The following are the most valuable official documents bearing on the issue: *Reciprocity with Canada: A Study of the Arrangement of 1911*, by the United States Tariff Commission (Washington, 1920), and "Reciprocity with Canada," *U. S. Senate Document No. 80* (62nd Cong. 1st Sess., vols. 13-15) and *U. S. Senate Document No. 56* (62nd Cong. 1st Sess., vols. 5, 6); *House Document No. 1350* (61st Cong. 3d Sess., vol. 124) and *Senate Document No. 787* (61st Cong. 3d Sess., vol. 84). The debates of the Canadian House of Commons are in *Debates House of Commons, Dominion of Canada*, (11th Parl. 3d Sess., 1910-1911). Here again the *Canadian Annual Review of Public Affairs* for 1911 is useful.

## CHAPTER XXV

### THE CONSERVATIVES RETURN TO POWER

*Conservative  
Government*

ROBERT LAIRD BORDEN, the new Conservative prime minister, was fifty-seven years old when he assumed office in October, 1911. A constitutional lawyer of considerable reputation in his profession, and possessor of several university degrees, the new prime minister had made a favorable impression while leader of the Opposition as an able, hard-hitting, and, on the whole, clean politician. The new cabinet contained some well-known figures, but few men of distinction. George E. Foster became minister of trade and commerce, Robert Rogers, minister of the interior, F. D. Monck, the Conservative leader of Quebec, minister of public works, William T. White, minister of finance, Louis P. Pelletier, postmaster-general, and Samuel Hughes, minister of militia and defense. All the French Canadians who held portfolios in the new Government were drawn from the Nationalist group whose stand on the naval issue the Conservatives had utilized so successfully in the recent campaign. Bourassa declined a cabinet position although, in the words of the *Liberal Toronto Globe*, the "Tory Imperialists at Ottawa" had swallowed Bourassa "body, bones and breeches." The new Parliament was opened in state on November 16, 1911, by His Royal Highness, the Duke of Connaught, brother of King Edward VII, who had just assumed the duties of governor-general.

*Navy question*

On the naval question Prime Minister Borden showed no disposition to press for legislation immediately. He announced that it was "better to be right than to be in a hurry," and the new naval bill of the Conservatives was not introduced until December 5, 1912. In the preceding summer the Canadian prime minister visited England and there consulted with the Liberal Government under Asquith. During his stay as the guest of Winston Churchill, head of the Admiralty, he witnessed a royal review of three hundred and fifteen British fighting ships, and this magnificent procession, fully five miles long, must have made a deep impression upon the visiting prime minister from overseas. In the meantime the Royal Australian Navy was making steady progress, New Zealand had launched a dreadnought of her own and made also a cash contribution to the British treasury, and even the Federated Malay States offered to present the mother-country with a first-class battleship. Germany's new naval bill of 1912 added to the excitement by further endangering Great Britain's naval supremacy.

Borden's bill, introduced soon after his return to Canada, called



for the appropriation of \$35,000,000 to build three first-class battleships as Canada's contribution to the British Grand Fleet. These ships were to be maintained and controlled by the royal naval authorities. There was no pledge of regular or periodic contributions by Canada in the future, and it was understood that if the Dominion ever desired to develop a navy of her own these ships could be recalled to form its nucleus. The Conservatives fully appreciated the significance of the new policy and freely discussed the desirability of having a Canadian representative on the imperial councils of defense.

*Introduction  
of navy bill  
by Borden*

In the long debates on the bill the main points stressed by the Conservative leaders were the menacing race for armaments going on in Europe, the collapse of the Anglo-German negotiations for a naval holiday which might have called a halt to the frantic building of battleships, the danger spots in the Balkans, and the likelihood of a general European war as the nations of Europe became more solidly united in two opposing alliances. A great array of naval experts, "from Noah to Nelson," were quoted during the debate to decide whether Canada should adhere to the Liberal policy of maintaining her own navy or whether the Dominion should accept the Conservative plan of contributions. The Conservatives justified their proposal as an effective and economical measure by which Canada would help to foot England's bill for policing the world.

*Arguments  
in favor*

The Liberals opposed the naval bill for a variety of reasons. Some demanded the development of a Canadian navy and proposed two naval units, a suggestion which the Conservatives promptly rejected as more costly and less efficient than their own measure. Some asked for a popular referendum on so important a departure in public policy. Laurier denounced the bill as "a cross between jingoism and nationalism," and there was much talk of keeping the navy under the control of the Canadian people and resisting "Downing Street rule" and a status of "colonial inferiority." Some denied the existence of an emergency in imperial affairs and refused to believe that the Empire needed help. Laurier attacked the vicious race for armaments among the powers of Europe as "a circle of fire worse than any described in Dante's Inferno." There were exhaustive speeches on Canada's share in determining the Empire's foreign policy and on the dangers of dragging the peaceful Dominion into the maelstrom of European jingoism and intrigue. Bourassa as the Nationalist spokesman soon came to oppose both the Liberal and the Conservative naval programs, and declared that the whole war scare was the deliberate creation of munitions manufacturers and armament trusts.

*Arguments  
against*

After the Liberal Opposition had debated the proposition for a month and had resorted to various obstructionist tactics, the naval bill, by the use of the closure rule, was finally jammed through the House of Commons in the adjourned session of 1913. The close of the debate was marked by much disorder; the Liberals tried desperately

*Use of closure  
rule to force  
bill through  
Commons*

to force an election, and the House had one continuous session which lasted two weeks.

*Its defeat in  
Senate*

In the Upper House the Government encountered a well-directed opposition which it could not control. The Senate by this time had become the stronghold of the Liberal party due to the long period of years in which the Liberals had controlled the Government and had made appointments to the Upper House from their own ranks only. The Conservatives controlled thirty-two votes, the Liberals had a Senate representation of fifty-four. Under the leadership of Sir George Ross, who described the naval bill as "empty as an exploded cartridge and soulless as its plated sides," and as arousing "no sympathy, no sentiment, no emotion of joy or glory," the Senate refused its assent to the bill unless a popular referendum were held. Conservative papers like the *Montreal Star* at once began an agitation for the reform of the Senate, that "band of licensed wreckers" of popular measures, and the agitation gathered considerable momentum at a time when the British House of Commons had just stripped the Lords of some of their ancient powers of obstruction and veto.

*Reasons for  
defeat of bill*

Laurier was definitely accused of stirring the Senate to resistance, but many people were undoubtedly glad to see the naval policy dropped in this easy way. Organized labor endorsed a popular referendum on the question; the western farmers favored a program of arbitration and disarmament rather than increased expenditures and imperialism; and others believed the "German scare" had been manufactured for the occasion and now would be heard of no more. It is significant that Prime Minister Borden took no steps to revive the issue or to force the Senate to acquiesce in the Government's program. Apparently he too was not disappointed to see the matter dropped for the time being.

*Legislative  
program,  
1911-1914*

The Conservative Government soon found itself submerged in the onerous duties and heavy responsibilities which followed the outbreak of the Great War in 1914. Prior to that time the Government had accomplished a great deal in the field of domestic legislation and administration. In July, 1913, a Bank Act was passed through Parliament providing for a number of modifications in the Canadian banking system. The most important new provisions included better inspection of banks and greater security for depositors, and made possible the lending of money to farmers and ranchmen on their products as security. An agricultural education act provided government aid for agricultural instruction, and terminal elevators were built in the West by the Government to facilitate the marketing of the farmer's products. The work for the conservation of Canada's national resources was faithfully continued.

*Transportation  
and  
communication*

Cable rates were reduced and a parcels-post system was established. The mail service between Canada and Europe was changed from a weekly to a tri-weekly basis, and numerous improvements, such as railroad extensions and canal and harbor improvements, were vigor-

ously promoted. By 1914 Canada stood fifth among the nations of the world in total railroad mileage, and first in mileage per population. Much of this railroad building was, to be sure, premature, and involved needless duplication and, as in earlier years, there was much complaint of lobbying, corruption, and high finance on the part of the railroad promoters. The Canadian Northern, one of the newest and one of Canada's most highly speculative railroad ventures, found it necessary to appeal repeatedly to the government for financial aid and in spite of vigorous opposition from many quarters still managed to get new governmental subsidies.

Prime Minister Borden visited the Governor of New York State to discuss the development and use of jointly controlled waterways, particularly from the point of view of developing greater hydro-electric facilities, the "white coal" which is to play such a conspicuous rôle in the industrial history of the present century. At the same time the Canadian consular service abroad was reconstructed. In 1912 delegates from most of the British West Indies and from British Guiana met with Canadian representatives at Ottawa to discuss the possibility of closer trade relations. As a result of the conference, a ten-year trade agreement was made providing for mutual trade preferences by which about fifty Canadian products received a tariff reduction of twenty per cent in the West Indies, thus giving Canada a decided advantage over the United States, her chief competitor. The United States interests in some of the islands tried in vain to prevent ratification of the agreement. In the same year Canada played an important rôle in the eighth Congress of the Chambers of Commerce of the Empire held at Guildhall in London.

*External  
affairs*

In 1912 the Dominion archives were placed under the jurisdiction of the department of state and in recognition of the importance of archival work, Dr. Arthur G. Doughty, the Dominion's capable archivist, was made a deputy minister. An agitation against Canadian knighthoods, "tin-pot titles" in the estimation of many Canadians, reached considerable proportions but the practice of granting titles was not abandoned until some years later. A new Arctic expedition under the command of the noted explorer Vilhjalmur Stefansson was promoted by the Government to discover the secrets of the frozen North. The boundaries of Manitoba, Ontario, and Quebec were extended northward, the additional territory given to the province of Ontario alone being equal to the area of the British Isles.

*Miscellaneous  
legislation*

In the interest of practical party politics the Conservatives sponsored many investigations into the conduct of government departments during the Liberal régime in the hope of uncovering evidence of mismanagement and wrongdoing. The Liberal Opposition countered with sharp attacks on the department of public works and with charges of unnecessary squandering of public funds on unimportant or unnecessary internal improvements ("pork barrel" legislation). A bill creating a tariff commission to make an expert study

*Party politics*



of the tariff problem passed the Commons but was rejected by the Senate as "a cheap Yankee device." The most significant changes in the cabinet before the war were the resignation of F. D. Monck, of the department of public works, who broke with his colleagues because he favored a referendum on the Dominion's naval policy, and the entrance into the cabinet of Arthur Meighen as solicitor-general in June, 1913. Colonel Sam Hughes, Borden's impetuous and saberrattling minister of militia and defense, spent his time preaching preparedness, sponsoring boy-scout organizations, and instituting military training in high schools and colleges—a program which stirred up much opposition, especially in the agricultural West, but which the minister vigorously defended as a necessary feature of a better national preparedness program.

*Woman's  
suffrage*

The woman's suffrage agitation and the movement for more drastic prohibition legislation made steady progress in the years immediately preceding the outbreak of the Great War. Numerous bills providing for woman's suffrage were introduced in the Ontario legislature, and efforts were made to arouse the interest of the federal government in this reform, but Borden steadily refused to act on the ground that the electoral franchise was a matter to be determined by the provinces.

*Activity of  
organized  
farmers*

There were also signs of renewed activity among the organized farmers of the West. The Grain Growers' Association continued to demand a lower tariff and to denounce the capitalistic interests of the East. The raising of campaign funds, the calling of various provincial conventions, and the launching of newspapers controlled by farmers were ominous signs of a growing political revolt on the western prairies. Coupled with a nation-wide financial depression which struck Canada in 1913, these evidences of discontent caused the Government serious moments of reflection and concern. All these problems were soon submerged in the terrible World War, which broke over Europe in the summer of 1914. In the gigantic struggle for victory all other problems were subordinated to the immediate war needs of the nation and the Empire. Political, social, and economic changes of the most sweeping and fundamental character were the inevitable consequences of a war as extensive and as destructive as the Great War proved to be. The year 1914 therefore in many ways marks the opening of a new era in the history of Canada and the Empire. Before discussing the progress of the war and its effects upon Canadian development, it is necessary to turn back for a brief summary of the Dominion's economic and social progress in the generation before 1914.

#### SELECT BIBLIOGRAPHY FOR CHAPTER XXV

The most convenient summary of the main events for the years 1911 to 1914 may be found in *The Canadian Annual Review of Public Affairs* for these years. The biographers of Laurier also of necessity devote some attention to these years when Laurier was the leader of the Opposition.

## CHAPTER XXVI

### ECONOMIC AND SOCIAL PROGRESS SINCE CONFEDERATION

THE three decades following confederation failed to fulfill the promise of Canadian development as it had been pictured by enthusiastic advocates in the 1860's. The Dominion did not suddenly leap to greatness as a powerful, prosperous nation expanding rapidly from sea to sea. The population at the time of confederation was only 3,500,000, towns of any appreciable size were few, manufacturing and farming were conducted on a small scale, and the region beyond the Great Lakes still awaited the coming of the immigrant to convert its rolling prairies into prosperous homesteads. In spite of the vigorous immigration policy of the government, a liberal homestead plan, and a wide-spread interest in the improvement of transportation facilities by the federal and provincial governments alike, statistical studies of Canada's progress continued to be disappointing until almost the beginning of the twentieth century. For a large part of this period census returns revealed a net loss of Canada's immigrant population to the United States.

*Disappointing  
statistics*

In spite of these discouraging facts a close study of Canadian economic development reveals that the foundations for the great progress of the present century were being slowly and often painfully laid in the disappointing decades immediately following confederation. The census of 1881 revealed an increase of nearly thirty per cent in the number engaged in agricultural pursuits in the four original provinces of the Dominion. Efforts were being made to improve the breed of Canadian live-stock; by 1880 over 30,000 cattle and 100,000 sheep were exported to markets overseas. Cheese factories for which the Dominion was to become famous began to spring up in great numbers, and by 1880, 20,000 tons of cheese were exported to the mother-country. The fisheries under federal encouragement were expanding rapidly and by 1880 the salmon canneries on the Pacific coast were beginning to divert attention from the possibilities of the great Atlantic fisheries to these new resources on the other side of the continent. Manufacturing also developed fairly rapidly until it encountered the panic of 1873 and its damaging results.

*Agriculture  
and fisheries*

The wild years of speculation and expansion preceding the panic of that year were followed by six years of depression and gloom, but by 1879 industry had recovered from the shock of deflation. It was in these years, as has been pointed out elsewhere, that the movement for a protective tariff as a cure-all for their economic troubles caught

*Recovery from  
panic of 1873*

the imagination of the Canadian people. The violent economic fluctuation in Canada during these years is clearly mirrored in the trade statistics of the Dominion. In 1873 Canada's foreign trade amounted to \$217,801,703; by 1879 it was down to \$153,458,682; by 1883, however, it had advanced to \$230,339,826. The next dozen years failed to show any encouraging rate of increase. The number of cotton spindles, however, quadrupled in the first decade after confederation; Ontario began to develop her woollen industry; and the region around Montreal made steady progress as a center for the manufacture of boots and shoes.

*Factory system*

Toward the close of the 1880's Canada began to feel the results of large scale combinations which accompanied the development of the modern factory system. By the 1880's the first trade agreements were formed by producers to eliminate competition; in 1887 a "pool," a new form of combination, was organized among the oat-millers. Three years earlier a binder-twine combination had been formed. Before long "rings," "pools," and trade agreements were organized by many of the leading manufacturers, paralleling, but on a smaller scale, the rapid development of large scale production among corporations and trusts in the United States. Indeed many of the new Canadian combines had close financial connections with firms in the United States. The ostensible purpose of most of these combinations was to perfect methods of production and to secure the economic advantages resulting from large scale enterprise. Some of the consumers, however, feared that these corporations might become combines in restraint of trade and inflict monopoly prices upon the helpless public. Consequently they began to urge the necessity of more stringent government regulation of big business.

*Westward  
movement*

In the decade of the 1880's, due to immigration propaganda and the liberal land laws of the Canadian governments, a great rush of settlers set in. The destination of most of the newcomers was the western prairies. It was estimated that in one year alone (1882) 60,000 settlers entered Manitoba and staked out claims to some 3,000,000 acres of land. Nevertheless, in the ten years from 1881 to 1891 the population of Manitoba and the Northwest Territories showed a net increase of only 70,000, a figure which clearly indicates that frosts, dry spells, disappointments, and the counter-attractions of American territories like Minnesota and the Dakotas induced many to abandon their homesteads either to enter the United States or to work their way back slowly to the older centers of population. The total population of Canada increased less than twelve per cent during this decade.

*Agricultural  
depression*

The 1880's also witnessed a serious check in the agricultural expansion of the Dominion. Owing to an increase in the world production of wheat through the opening of new areas to cultivation, especially in Russia, and because of a scarcity of currency, prices of agricultural products fell rapidly. Hundreds of farmers who had



entered the prairie provinces as settlers optimistic enough to believe that a few years of honest toil would wipe out the mortgages encumbering their new holdings, now found themselves among the disgruntled debtor class with mortgages coming due and the prices of their products, through which alone these debts could be paid, constantly falling.

The agricultural discontent in the Canadian West differed little in kind from that which prevailed in these years in the western and southern sections of the United States. There the economic depression in the agricultural regions gave rise to such movements as the Farmers' Alliances, the Grange, the Greenback and the Populist parties, all of them attempts to force a panacea for the farmers' ills upon the government by independent political action and generally by an inflation of the currency. So thoroughly, however, was the Canadian grounded in the principles of "sound money" that the demand to expand the currency as a means of restoring prices and good times never became strong in the Dominion, and the "rag baby," as fiat money was called in the United States, never achieved much popularity among the Canadian people. The government, by means of experiment stations and other kinds of aid, tried to furnish some relief, but for the most part, the solution of the economic difficulties of Canada was left to the slower but sounder operation of the laws of time and the general principles of economics.

*Similarity to conditions in United States*

It was not until the late 1890's that Canada began to prosper in a way that was comparable with the hopes of the prophets of confederation. After 1896 as a result of new gold discoveries in North America, Africa, and Australia, the volume of the world's currency could be increased on a safe gold basis, and prices began to rise. The disappearance of free lands in the United States stimulated a new influx of settlers into the Canadian West. European capital sought opportunities for investment in the expanding Dominion, and agriculture and manufacturing alike began to boom. Inter-provincial migration increased, while emigration to the United States declined rapidly. A heavy "American invasion" of Canada now set in, and European immigration also increased steadily.

*Turn in tide*

In the fifteen years following this revival of prosperity in 1897, over 2,250,000 immigrants arrived in Canada. The immigration from 1900 to 1911 totalled 1,788,369. The population of the Dominion in 1911 was 7,204,527, and the census showed that the greatest percentage of increase was in the new provinces of Alberta and Saskatchewan. The population of Manitoba increased seventy-eight per cent and that of Saskatchewan 439 per cent. Winnipeg became the grain center of North America. Only Prince Edward Island and the Yukon and Northwest Territories showed a net decrease. The net gain in total population for the first decade of the present century was thirty-four and thirteen one-hundredths per cent. Yet in the face of these encouraging returns, the population of Canada still

*Population growth since 1896*

averaged only one and ninety-three one-hundredths persons to the square mile.

In the effort to attract settlers to the vacant lands of Canada, the Dominion encouraged the entrance of the greatest variety of racial and national stocks. Some seemed to be more easily assimilable into the Canadian national stock than others, and by the close of the period under consideration Canadians began to raise the question of a more selective immigration policy. Among those most welcome to the Dominion may be mentioned such groups as the ten thousand Icelanders who had arrived in the neighborhood of Lake Winnipeg since 1872, the Scotch-Highland crofters, the Germans, and the Scandinavians who settled for the most part in the four western provinces. These groups were industrious farmers whose mode of life was little different from that of the majority of Canadian citizens, and until the outbreak of the Great War the government made every effort to stimulate greater emigration from these north European peoples.

Like the United States in earlier days the Dominion also became a haven of refuge for many immigrants with unusual religious or social views who desired a new country where they might live out their theories without interference. Thousands of Mennonites migrated in communities into the Canadian West and received guarantees from the government that their religious scruples would be respected and that the new arrivals would be exempted forever from taking legal oaths or rendering military service. From 1887 to 1905 about 10,000 Mormons settled in southern Alberta. Perhaps the most peculiar of these sectarian immigrants to Canada were the Doukhobors, or "spirit wrestlers," from Russia, who turned their footsteps westward to the prairies of Canada after the intervention of Tolstoi had secured for them the necessary permission to leave the land of their persecutors. The Dominion made liberal terms with their leaders and the settlers prospered almost from the first in their new environment. Immigrant groups like these, in spite of their seeming peculiarities, have generally been regarded as valuable additions to the Canadian population save on such occasions as when their religious theories led some of them into fanatical crusades and pilgrimages, and the Government found itself embarrassed in trying to find methods of dealing with these harmless but somewhat fanatical demonstrations.

Of the "newer immigration" from southern and southeastern Europe, Canada attracted nearly 150,000 from Galicia and other parts of the old Austro-Hungarian Empire and more than sixty thousand Italians. The latter were mainly "birds of passage" who planned to return to their native land with their earnings as soon as possible. For the most part these newer immigrants furnished desirable pick and shovel workmen for contractors engaged on public works or other building enterprises. A few Canadian cities developed

*Canada—  
melting pot*

*Immigrant  
groups*

*"New  
immigration"*

Italian quarters where the immigrants clannishly maintained their native languages and institutions.

Chinese immigration was encouraged until 1885, because of the demand for coolie labor to build Canada's railways. It was not long, however, before organized labor began an agitation against the docile celestial who was undermining wages and standards of living. The government instituted a prohibitive head tax which by 1904 reached the sum of \$500 per Chinese immigrant. The law has not been uniformly successful in excluding coolie labor, for contractors have at times paid both the head tax and the transportation cost of the Chinese laborer and have compelled him to work off the amount charged against him. Anti-Chinese agitation in Canada, however, has virtually ceased. It has been superseded in recent years by an anti-Japanese demonstration, particularly on the Pacific coast. Alarm over the arrival of fifteen thousand Japanese during the first ten years of the present century led to an agreement with Japan by which the latter promised to limit the number of laborers who could emigrate each year.

*Oriental*

It is impossible to discuss specifically the many other immigrant groups attracted to Canada before the Great War put a stop to practically all immigration. Nor can much be said at this early stage concerning the social and cultural contributions which these various groups are making to Canadian nationality. The policy of the government has always been to encourage farmers, farm laborers, and domestics to come from the more desirable countries, and to keep out by medical examination and other provisions those who were considered undesirable or likely to become public burdens or who were merely "birds of passage."

*Government  
policy*

The efforts of the government to stimulate immigration have been constantly reinforced and supplemented by the propaganda of railroad companies with lands to sell. The Canadian Pacific perhaps has done most in this direction; it actually furnishes ready-made farms with house, barn, and a portion of the fields under cultivation to prospective settlers, to be purchased on the instalment plan. In spite of some hysterical reactions during the Great War, it is doubtful whether Canada will have to face any serious problems in connection with the assimilation of her immigrant groups for many years to come. The Dominion is still primarily an agricultural country, although the drift from farm to city has begun. In the first decade of the twentieth century Canada's rural population decreased from sixty-three to fifty-five per cent. Canada still needs settlers to develop her great public domain, and her population is so sparsely scattered over her vast area that the problem of assimilating immigrant groups will probably continue to solve itself. It is only in some of the congested manufacturing centers that the immigrant problem is causing any serious concern.

*Other  
propaganda  
agencies*

To encourage settlement of the newer sections of the Dominion,



*Aid to farmer*

the government developed various plans for giving aid to farming communities. By 1912, although nearly 50,000,000 acres of land had been enclosed or acquired for use, this total constituted but one-sixth of the land available for farming and pasturage. It has been only since 1859 that the farm products of British North America have exceeded the value of the products of her forests. Federal aid to the farmer is under the direction of the department of agriculture; a wide variety of activities has been undertaken by this department. Agricultural societies have been promoted, and since 1896 the government has sponsored experimental farms where many discoveries have been made by experts to improve methods of wheat growing and dairying, the use of fertilizers, the breed of farm animals, etc. Many bulletins and reports and sample seeds are available to the farmer without cost.

*Dairying*

Since 1890 there has been a Dominion dairy commissioner who concentrates his energies upon the growing butter and cheese exports of the country. Many improvements have been introduced in creameries and cold storage plants. The centrifugal cream separator, which has produced a revolution in dairying in many parts of the Dominion, was first used in 1882. Federal, provincial, and local governments have promoted scores of exhibits in all parts of the nation to stimulate interest in more efficient methods of production. Since 1906 a law provides for government inspection of meat and canned goods.

*Value of farm products*

In 1910 the value of all field crops exceeded half a billion dollars. The annual milk production was valued at \$100,000,000, and the value of eggs, wool, and live-stock was estimated at twice that figure. Canada passed the United States as an exporter of cheese in 1890 and the Dominion has never relinquished her position as leader in this field. In 1906 for the first time Canada's wheat exports surpassed the value of cheese exports, and by 1910 Canada ranked second only to Russia as an exporter of wheat and flour.

*Railroad development*

Of first importance in the development of agricultural resources is the matter of transportation facilities. From 1881 to 1896 the railway mileage of Canada increased from 7260 to 16,387 miles. In the years between 1897 and the outbreak of the Great War, passenger traffic doubled on the Canadian railroads while freight business increased threefold. Most of this increase was attributable to westward expansion.

*Great railway systems*

The development of new transcontinental lines such as the Canadian Northern and the Grand Trunk Pacific occurred during these years and has already been discussed. The progress of the oldest of the transcontinental lines was phenomenal. From 1901 to 1912 the stock of the Canadian Pacific more than tripled in value, and the gross earnings of the company rose from \$30,000,000 to \$104,000,000. The company expanded its holdings to include steamboat lines, hotels, irrigation projects, and other developments closely connected with its transportation service. In 1911 a Hudson Bay railroad was proposed to provide a new and shorter outlet to the sea for the

agricultural products of the prairie provinces. Another road over 300 miles long was projected into northern Ontario where silver deposits had been discovered and where the government was anxious to colonize settlers.

Railroad expansion and consolidation, as suggested in an earlier connection, were accompanied by a demand for government regulation of this important public utility. Especially from the West, where the depression following the panic of 1873 continued longest, the demand arose for government intervention to prevent exploitation of the producers and consumers by the transportation companies. In the 1880's there was much discussion on the floor of Parliament of the dangers of consolidation. A commission appointed to investigate the question in 1886 favored an increase in the powers of the railway committee of the Dominion Privy Council, but no satisfactory progress was made in the regulation of these public utilities until 1904 when a law was passed creating the Board of Railway Commissioners for Canada. This body meets in all parts of the Dominion. It has power to fix rates and to make regulations in the interest of the public safety, and enjoys other extensive powers over the Dominion's transportation systems. The provincial governments also have provided public utility commissions to safeguard the public interest in provincial issues.

*Government  
control*

Extensive improvements have been made since confederation in the postal facilities of Canada. Before the completion of the Canadian Pacific, letters posted in British Columbia or Fort Garry for eastern parts of the Dominion reached their destination by being carried for a large part of the way through the territory of the United States. To transmit a letter from Victoria to Toronto required three weeks, and letters from the maritime provinces to Quebec were sent *via* Maine. The building of the transcontinental railway eliminated the roundabout route through the United States and gradually extended the western limit of the railway mail service. A post-office car marked "End of Track, C.P.R." moved forward a little further each day as the construction gangs of the Canadian Pacific proceeded westward. The lowering of postal rates after confederation increased the postal business which in turn increased the revenues of the government. In 1874 the Dominion concluded a postal convention with the United States virtually extinguishing the international boundary so far as the postal service was concerned. A post-office savings bank was organized immediately after confederation, and in 1910 its accounts, serving nearly 150,000 depositors, totalled nearly \$44,000,000.

*Improvements  
in postal  
facilities*

Statistics for manufacturing reveal a steady growth during the last generation. In 1881 the total investment in manufacturing was \$165,302,623 with a total output valued at \$309,676,068. By 1911 the capital invested in Canadian manufacturing equalled a billion and a half, and the total output was valued at one billion dollars annually. Nevertheless, in the face of this great increase the importa-

*Manufacturing*

tion of manufactured goods steadily increased; the United States led all other countries in the value of products sold to Canada. By 1912, in spite of an almost unrivalled growth in Canadian exports of grain, fish, lumber, mining, and manufactured products, the excess of imports over exports still amounted to approximately seventy-five per cent. It was not until after the Great War that Canada's visible trade began<sup>2</sup> to show a favorable balance.

"Big  
Business"

This development in manufacturing was marked by an increase in specialization and by the combination of many small factories into large scale units, a development common to most of the countries of the western world of this period. In this "steel age," Canada's pig iron production increased from 50,000 tons in 1898 to 917,000 tons in 1911, and steel production mounted from 30,000 tons to 876,000 tons. One of the most important centers of the new steel industry was in Nova Scotia where the Nova Scotia Steel and Coal Company developed rapidly into a large and powerful corporation. Mergers were brought about in many industries, resulting in both vertical and horizontal combinations. Trusts and holding companies made their appearance in many fields of production, and the process of amalgamation was often attended by all the evils of watered stock, profiteering, tariff lobbying, and monopoly privileges which generally accompanied this development in older industrial nations. A large part of Canada's industrial expansion was financed by British and American capital. From 1905 to 1912 Canadian loans floated in England amounted to almost a billion dollars. United States corporations also began to invade Canada with branch factories or assembling plants, frequently to avoid high tariffs or to take advantage of the Empire's preferential tariff policy. By 1926 American investments in Canada were estimated at \$3,000,000,000 and were said to be increasing at the rate of a quarter billion annually. United States investors controlled many important branches of Canadian industry, such as copper smelting, drugs and chemicals, automobiles, paint and varnish, and patent medicines. On the other hand, there is evidence to show that there has been a slowing up of Canada's borrowing in the United States during the past few years, and it seems likely that Great Britain will be able to absorb a much larger share in the future. Moreover, in recent years, the flow of capital across the international boundary has not all been in the same direction.

Attempts at  
regulation

Like the United States the Dominion government has experimented with various kinds of legislation designed to prohibit the development of monopoly abuses. In 1898 a loosely drafted statute prohibited combinations in restraint of trade. Eight years later a threat was made to deprive monopoly combines of their tariff protection. In 1910 a new Anti-Combines Act was passed, but corporations have found it comparatively easy, under the law, to avoid interference with their methods. In Canada, as in the United States, but to a lesser degree, the people are facing the problem whether government can control



big business or whether, in the end, big business will dominate the government.

Although in Canada industrialism has developed much more slowly than in England or in the United States, nevertheless many of the evils of the economic revolution which counterbalance its beneficial results have already made their appearance in Canada. For one thing, the development of class consciousness and stratification in Canadian society is under way, although the movement will be retarded for many years since the Dominion's cheap lands on the frontier may serve as an outlet for the more oppressed populations of the older East. The Dominion had her millionaires before the war, and their ranks during the profiteering orgy of the war years were largely augmented in Canada as in other countries. The muckraking journalist has little trouble in finding cases of special privilege, stock jobbery, and unfair business methods which he may expose to a suspicious public. Although socialism as a party movement has made little progress thus far, some Canadians view with alarm the development of conflicting economic interests and classes in the social structure of the Dominion.

*Class  
consciousness*

The Canadian labor movement is largely a product of the period since confederation. Before 1870 most labor unions were weak, local, and often secret organizations exercising but little influence even in their local communities. Indeed, so long as lands were cheap in the West and industry was largely in the domestic stage, there was little stimulus or occasion for labor unions. The industrial revolution did not begin in British North America until after 1860. With the rapid change to a factory system and a capitalist régime in the early 1870's, strikes occurred in many places as ominous signs of the diverging interests of employer and employee. It was not until 1872 that unions and strikes were recognized as legal weapons in this industrial warfare. Before that time labor disturbances had been dealt with under the law as criminal conspiracies against the government. Canada borrowed the technique and mechanism of her labor organizations from the United States although much of the Canadian labor program has been influenced by the progress of the labor movement in Great Britain.

*Labor movement*

The first great national representative assembly to provide centralized control and direction for the forces of organized labor was held in Canada in 1873 with thirty-one unions represented. This organization, known as the Canadian Labor Union, proved very shortlived, although its demands, which involved such issues as the nine-hour day, the restriction of immigration, and the use of arbitration in industrial disputes, were extremely moderate. In 1883 this organization was revived as the Trades and Labor Congress of Canada, and by 1912 it comprised nearly 1000 unions with a membership of over 66,000. The Trades and Labor Congress among its many other duties maintains a parliamentary solicitor to look after the interests

*Trades and  
Labor Congress*

of the workers and to secure the enactment of favorable labor legislation. Most of the constituent unions are members of international bodies affiliated with the American Federation of Labor.

*Connection with  
American labor  
movement*

In the years between confederation and the outbreak of the Great War, there has been a steady growth of labor organizations in a wide variety of industries in Canada. The railroad unions, in a strategic position so far as the nation's economic life is concerned, have reached a position of great influence, and practically all Canadian unions have been developing a better spirit of coöperation and a more intelligent leadership. Although a number of national craft unions are not affiliated with the American Federation of Labor, most organizations have been benefited greatly by their American connections through the use of strike funds, sick benefits, and other methods of support. Trade agreements enforced upon employers in the United States in certain industries usually redound to the advantage of the Canadian unions also. On the other hand, this connection with the United States has given employers the opportunity to denounce the meddling of "foreigners" in Canadian industrial problems and to blame the "Yankee walking delegate" for many of their labor troubles.

*Labor  
legislation*

Much labor legislation can now be found on the statute books of the various provinces. These laws range all the way from provisions for labor and employment bureaus to statutes for fair wages boards, a minimum wage, factory inspection, child labor, and workmen's compensation acts. By a Dominion Act in 1894, "Labor Day" was definitely fixed as a national holiday. In 1900 a Dominion department of labor was created, and laws have been passed seeking to eliminate the competition of immigrant contract labor. By 1914 Prince Edward Island was the only province which had not yet followed Ontario's lead of 1886 in establishing workmen's compensation systems. Wages generally have been higher in the newer West than in the eastern provinces where by far the greatest number of employees in manufacturing are to be found.

*Period of rapid  
growth*

The most rapid growth in the ranks of organized labor prior to the Great War occurred in the first decade of the present century, which was a period of unusual prosperity. In 1911 there were 1752 trade unions in Canada, and in the year following the department of labor estimated the total union membership at 133,132 of which nine-tenths were affiliated with unions in the United States. The greatest number of unions are to be found in the province of Ontario, while the labor organizations of British Columbia are probably the most radical in their demands. Industries having the greatest number of labor organizations, listed in order, are the railroads, building trades, and metal and engineering trades. The Industrial Disputes Investigation Act continued to function to prevent strikes and lockouts on Canada's public utilities, and in 1911, of thirty-one disputes submitted under this law, only four resulted in strikes.

In the field of education the post-confederation period marked the triumph of the idea of universal and compulsory public school education. In 1871 attendance in the free public schools of Ontario was made compulsory, and the educational work of Egerton Ryerson who served as superintendent of education for the province from 1844 to 1876, was consolidated into law. After his resignation the control of education in Ontario passed to a minister with a portfolio in the provincial government. Since 1863 there has been legislation in what is now Ontario recognizing the right of Roman Catholics to maintain separate schools. The Ontario free public school system now extends through the high schools and continuation schools, and since 1919 attendance up to the age of sixteen has been compulsory.

*Educational  
progress*

In Quebec education for most of the inhabitants is still largely under the control of the Roman Catholic clergy, although other schools, including technical agricultural schools, have been developing rapidly, and the right of the Protestant minority to have separate schools has been faithfully observed. In Quebec, moreover, there is still a lingering notion that compulsory education somehow interferes with the rights of parents over their children. In the maritime provinces educational development has been retarded by many religious quarrels among sectarian groups; these disputes have necessitated the guaranteeing of special privileges. The development of educational facilities and the struggles over separate schools in the prairie provinces have been discussed elsewhere. Education was not made compulsory in Manitoba until 1916.

*In provinces*

Higher education in Canada has not been neglected. To the contrary, sectarian enthusiasm and denominational rigidity have often led to a deplorable duplication of effort and a wasting of resources in this field. Universities like Toronto, Dalhousie, and McGill stand at the apex of the Canadian educational pyramid, and have attracted international attention by the merit of their work. The University of Toronto, originally promoted as a sectarian venture, was freed from religious control in 1849, and now receives annual grants from the provincial government of Ontario. Laval University traces its history back to the seminary founded by the great François de Laval, bishop of Quebec in 1674, and has maintained its close connection with the Roman Catholic hierarchy. In 1852 it was chartered in its present form. McGill University was founded in 1821 and has become especially known for its work in medicine and science.

*Higher  
education*

Among other institutions of note may be mentioned Queen's University in Kingston, Western University in London, Ontario, and the younger provincial universities of Manitoba, Saskatchewan, Alberta, and British Columbia. These provincial universities were created in the present century and are interesting proofs of the genuine concern of the new West for higher and more democratic educational

*Canadian  
colleges and  
universities*



opportunities. In 1912 when the second Congress of Empire Universities assembled in London, nineteen of the fifty-one universities represented were Canadian institutions. In 1925 Canada boasted of twenty-three universities and seventy-nine colleges with a total student body of 51,528.

Canadian  
national spirit

Canada is still too young and too undeveloped to resist the overshadowing influences of both Great Britain and the United States and consequently the Dominion has not made much progress in the development of a literature and of fine arts which may be called truly national in spirit. Canadian nationhood is a comparatively recent achievement, and it is still too early to find, with the possible exception of painting, much expression of a distinct Canadian tradition in the art of the Dominion. Nevertheless, Canada's contributions in these fields have become important, and some mention of them must be made in this connection.

Literature  
of French  
Canada

French-Canadian literature, the oldest and most fundamentally Canadian, is largely the product of the desire to preserve French nationality in an ever-growing English commonwealth and to give literary expression to the life of the original Canadian stock along the St. Lawrence. Among the first to espouse the cause of French nationalism was the Quebec journalist, Etienne Parent (born 1802). François Xavier Garneau, who died in 1866, became the "national historian" of French Canada. His three volume *Histoire du Canada*, published 1845-48, the result of twenty-five years of toil, while clearly pro-French is a well written and well documented story of French activities in North America from the beginning of colonization to 1840. Michael Bibaud's three volume *Histoire du Canada* is somewhat more friendly to the English element; it stops with 1837. Louis P. Turcotte's *Canada Sous l'Union* deals with the period from the Union to the Confederation. The historical labors of Benjamin Sulté of Three Rivers should not be overlooked in even so brief a list of historical writers, for Sulté's work shows a real appreciation and understanding of those social forces to which modern scholars have given the name of the "new history." Such excellent modern writers as Alfred DeCelles and Thomas Chapais prove that history is still the most fascinating interest of French-Canadian writers.

Poetry

Octave Crémazie, born in Quebec in 1827, is generally regarded as the father of French-Canadian poetry. Louis Fréchette (1839-1908) tells the story of French Canada in his *La Légende d'un Peuple*, and in many of his lyric poems he reveals with rare beauty and charm the simple, pious life of the French peasant folk in old Quebec. Several of Fréchette's poems were crowned by the Institute of France. Louis Hémon's *Marie Chapdelaine* is a more recent and exquisitely beautiful prose version of the same theme. Hémon, in a long list of writers who wrote novels based on French-Canadian life, was the first to achieve real distinction. Needless to say most French-Canadian literature, as

well as the legends and folk music of old Quebec, reveal a strong religious flavoring.

Practically all of the noteworthy literary productions of English Canadians date from the time of the Confederation. In the field of *History* history, Robert Christie's six volume *History of Canada* is one of the few exceptions. It covers the period from 1791 to 1841. William Kingsford (1819-1898) trained originally as an engineer, became a follower of the muse of history quite late in life; he began his *History of Canada* at the age of sixty-five. His ten volumes, which are still valuable, carry the story to 1841. Among the historical scholars of present-day Canada it is difficult to make a selection. Arthur G. Doughty has been a notable archivist, and Oscar Douglas Skelton did excellent work until he deserted the profession to become under-secretary in the department of external affairs. George M. Wrong of the University of Toronto during a long career as writer and teacher also has many notable contributions to his credit. Among the newer group of historians especially trained in the new school of scientific research, Chester Martin, Lawrence J. Burpee, W. Jackman, F. W. Howay, W. L. Grant, R. G. Trotter, Adam Shortt, J. L. Morison, W. S. Wallace, Duncan McArthur, and W. P. M. Kennedy have done historical writing which has received recognition not only in Canada but internationally. The valuable *Makers of Canada* series made its first appearance early in the present century, and works like the *Chronicles of Canada* and *Canada and Its Provinces* are coöperative enterprises indispensable to all students of Canadian history. *The Canadian Historical Review* was established in 1920 and quickly took its place among the best historical periodicals.

The field of Canadian fiction is still comparatively barren. Thomas Chandler Haliburton (1796-1865), a native Nova Scotian, stands out as almost the only exceptional genius Canada has produced. His *Fiction* *Sam Slick* ranks with the great figures of humorous literature such as those created later by writers like Artemus Ward and Mark Twain. Among more recent writers are Stephen Leacock, who seems equally at home in half a dozen fields, the Reverend Charles W. Gordon, who as "Ralph Connor" wrote such tales as *The Sky Pilot*, and Norman Duncan, with his Newfoundland stories. Ernest Thompson Seton is internationally known for his animal and nature stories. *Beautiful Joe*, one of the most popular children's books ever written, came from the pen of Margaret Saunders of Halifax. English Canadians have made their greatest reputation in the field of poetry, and most of the best work in this field has been done since 1860. Charles G. D. Roberts, Archibald Lampman, Bliss Carman, William Henry Drummond, D. C. Scott, Margery Pickthall, E. J. Pratt, and Wilson Macdonald are among the better known poets of this modern Canadian renaissance.

Canadian journalism has developed rapidly in the last three-quarters of a century, and such papers as the *Toronto Globe*, the *Journalism* *Montreal Gazette*, the *Manitoba Free Press*, and others of the newer

western papers are conducted on a relatively high plane. Canadian periodicals have usually been very shortlived. The flood of magazine literature entering Canada from the United States is primarily responsible for this heavy mortality.

*Fine arts*

In the fine arts Canadians are just beginning to achieve some distinction. The market for the artist is still very limited in Canada, and consequently many men of talent drift to the art centers of the United States, or send their work to American buyers. Only in painting has Canada developed a school which is distinctively Canadian. Some of the canvases of this newer school have become world-famous and have been hung in the leading galleries of England, Europe and America. The old custom of securing a European training and technique has largely passed for Canadian artists since the Great War. Organizations like the Ontario Society of Artists, founded in 1872, the Royal Canadian Academy established in 1878, and the Group of Seven of recent years have done much to stimulate painting and its recognition by the governments and the people of the Dominion. Schools of art have been established in Toronto, Halifax, Montreal, Winnipeg, Vancouver, and elsewhere. Among the newer group of artists Curtis Williamson and E. Wyly Grier have done excellent work in portraiture, F. S. Challener is noted for mural decorations, and C. W. Jefferys has done some unique historical pictures. Horatio Walker has an international reputation as an interpreter of French-Canadian life and Homer Watson is well known for his paintings of pioneer life. Among earlier artists who won recognition abroad, Paul Peel, Blair Bruce, and James Wilson Morris should be mentioned. Tom Thomson is one of the greatest landscape painters of recent years.

Recently, moreover, many patrons of art have been recruited among the new aristocracy of industrialism, and most liberal donations have been made from time to time for the advancement of the fine arts in the Dominion. Louis Philippe Hebert is probably the best known Canadian sculptor. In this branch of the fine arts many Canadian artists have found larger fields for the exercise of their talents in the United States. Canadian architecture, with the exception of that of old French Canada, is largely imitative of the United States and England. Many of the art institutes of Canada have benefited greatly at all times by the interest and patronage of various governors-general. Lord Elgin, Lord Dufferin, and the Marquis of Lorne deserve special recognition in this connection. The increasing number of art museums established in many Canadian cities in recent years indicates a very healthy interest in the fine arts. The National Gallery of Canada was established at Ottawa in 1913; it is supported by government appropriations.

*Music and  
drama*

The theatre in Canada, from legitimate drama through musical comedy, burlesque, and moving pictures, is really an appendage of the theatrical activities of the United States and of Great Britain.



At Hart House Theatre, however, has been developed, in a unique way and in a setting of marvellous beauty under the patronage of the Hon. Vincent Massey, a "little theatre" which has attracted the admiration and won the praise of leaders of the theatrical profession throughout the world. The Little Theatre Movement is spreading rapidly to other cities, resulting in much encouragement to native dramatists. Canadian musical life is also closely connected with that of the United States. French Canadians have many lovely folk melodies, and these *chansons populaires* have been faithfully handed down from generation to generation in old Quebec, and constitute, together with a few Indian and Eskimo melodies, the only folk music the Dominion possesses. Most professional performers in Canada are musicians who come from the United States. Edward Johnson, perhaps the greatest living operatic tenor, is a Canadian, but he finds it necessary to go to the Metropolitan Opera of New York to give full range to his extraordinary talents; his countrymen hear him only on occasional concert tours. Municipal orchestras are developing in some of the larger Canadian cities such as Toronto. This city has also become famous for its choral music, primarily through the splendid work of the Mendelssohn Choir, while the Hart House string quartette has made successful tours through many of the larger musical centers of the United States. Montreal maintains a permanent opera company.

In their laudable efforts to develop a truly Canadian culture many Canadians feel the overshadowing influence of the United States very keenly, and there occasionally has been resentment against foreigners (especially Americans) who invade Canada in search of Canadian themes. Although Canada has hitherto lacked the background, the experience, and the leisure to develop a truly national art, the desire for a literature and an art which should give emotional expression to Canada's rise to nationhood has not abated. Some have sought to counteract the relentless permeation of Canadian life by influences from the United States by drawing closer to the mother-country, and Canada is full of various imperial and national organizations, such as the Sons of England, the Imperial Order of the Daughters of the Empire, the Overseas Club, and the Canadian Clubs, which have as part of their program the desire to protect the Canadian national spirit and the imperial connection from too much "Americanization." There has been much protest against becoming a "vassal state" of the United States, and the best corrective for this state of affairs seems to be the preaching of a new and greater appreciation of Canada's own national traditions and mode of life.

On the other hand, the peaceful economic and cultural penetration of Canada by forces from the United States was and is unavoidable. The Dominion gets her music, her slang, her tooth-paste, her moving pictures, her periodical literature, almost everything from news dispatches to Kiwanis Clubs, from automobiles to chewing gum,

*Efforts to  
promote  
Canadian  
nationalism*

*American  
penetration*

largely from the United States. American baseball rather than English cricket or the Canadian native game of lacrosse is becoming the national game of the Dominion. Much of Canadian economic and industrial evolution closely parallels that of the United States, and many economic and political policies have been directly borrowed from the American republic. The same language, the same customs, the same religious life, and in many cases the same laws prevail on both sides of the international boundary. Canadian and American railroads operate over a standard gauge. Canadian newspapers look more and more like those of the United States and use much the same material. The prices of many Canadian staples are fixed in American markets, as also are the fashions of men's and women's clothes. The Canadian university student has patterned his college yells after those of the United States, and many American national holidays are equally observed in Canada. In a recent debate in the Ontario legislature (1926) an irate member pointed out that 99.5 per cent of all films shown in Canada came from the United States, and the honorable member deplored the showing of films depicting Canadian Royal Northwest Mounted Police operating around a Hudson's Bay Company post over which the Stars and Stripes were prominently displayed.

This spiritual and psychological vassalage to the United States arouses some Canadians to a vigorous defense of their own national ideas and to greater efforts to develop a national culture. Nevertheless, it is doubtful whether this peaceful penetration can be halted or whether it would be possible or desirable to develop a cultural diversity in these neighboring and kindred states. Much of this similarity is undoubtedly due to imitation and to deliberate efforts by American producers to exploit the Canadian market, but much is due also to similar conditions and similar problems in two countries which are separated after all only by a most artificial political boundary.

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## CHAPTER XXVII

### CANADIAN PARTICIPATION IN THE GREAT WAR

*Causes of  
Great War*

A BOOK of this kind is not the place for even a brief discussion of the complicated causes of the Great War of 1914-1918. A discussion of war causes is, of course, a perfectly legitimate, and no doubt a highly necessary piece of work, but more space is needed than is available here for a proper balancing of all the pros and cons of the problem of war guilt and for an adequate citation of evidence. It is clear to all well-informed students of the question in every country that the ultimate causes of the war run far back into the history of Europe during the nineteenth century, that they are many and diverse, and that they can be laid at the door of no one European nation. The alignment of the great European powers in two alliances, the mad race for armaments on land and sea in which all participated, the development of sharp rivalries over colonies and commerce, the wave of intense nationalism that engulfed most of Europe before 1914—these and many other factors must be listed among the ultimate causes of the war of 1914. Contrary to the views held during the war in many parts of the world, it is now generally admitted that Germany did not deliberately will the war and that she shares the war guilt with the rest of the great European powers, the only difference among them being one of degree. When war broke out the propaganda bureaus maintained by every nation involved, naturally set out to convince the world that their version of the origins of the conflict was the only acceptable and truthful one. Stories like the Belgian atrocity tales and various slogans like "scraps of paper," "the sanctity of international agreements," the "war to end war," and "the war to make the world safe for democracy" proved most effective in raising the struggle to a seemingly higher plane of idealism.

*Immediate  
cause of war*

Whatever were the ultimate causes of the war, the immediate cause took place on June 28, 1914, when the Archduke Ferdinand of Austria and his wife, heirs-apparent to the Austro-Hungarian throne, were assassinated by Serbian plotters in the streets of Serajevo. On July 23, Austria-Hungary, convinced that the murder was traceable to a Pan-Serbian or Pan-Slavic plot to disrupt the ancient empire of the Hapsburgs, despatched a most drastic ultimatum to the Serbian government at Belgrade and demanded a reply within forty-eight hours. Although the Austrian terms seriously impinged upon Serbian sovereignty, the latter nation accepted all but two of the demands, and offered to submit the remainder to arbitration. Austria was not satisfied with the Serbian reply and began mobilization. The wheels

of secret diplomacy were set in motion, Europe divided into two opposing alliances, last minute proposals by diplomats to stop the war failed in the atmosphere of intrigue, distrust, and suspicion prevailing in all the European chancelleries, and before the end of the first week in August most of Europe was at war.

So far as Canada was concerned, the Dominion, for all practical and legal purposes, was at war the moment Great Britain entered the conflict. Canada might discuss her technical right of voluntarily coming to the aid of the Empire, but this did not alter her belligerent status as far as the outside world was concerned. Nor was there any disposition to quibble over technicalities. The great majority of Canadians recognized that to give aid to the mother-country was their solemn duty, and were eager to do their share in a war which they considered righteous and unavoidable so far as Great Britain was concerned.

There was no evidence at the outset of racial or political cleavage in Canada over the war issue. Laurier pronounced the war "the most sacred" the Empire had ever participated in, and immediately promised an end of party conflict. He advised volunteering in public utterances that rang with passionate devotion to the Empire and he specifically urged the raising of French-Canadian regiments in addresses at recruiting meetings in Quebec. Even Bourassa, the Quebec Nationalist leader, announced in his newspaper, *Le Devoir*, in September, 1914, that he would not oppose the sending of Canadian contingents to European battlefields.

*United nation*

The call for volunteers met with a ready response. The total peace establishment of Canada before the war did not exceed 63,500 men, of whom only 3500 were permanently in service, the rest being enrolled among the active militia. Plans had been made, however, to expand this force to 150,000 in time of war, and Colonel Hughes, the Conservative minister of militia, had been perfecting measures for military training in high schools and universities. By April 10, 1915, over 100,000 men were under arms.

*Volunteering*

The first Canadian overseas contingent was landed in Plymouth, England, on October 15, 1914. In the early months of the war more volunteers offered their services than the government could equip, although the minister of militia was frantically rushing about the country, placing war orders, building cantonments in which to train troops, and starting manufacturers to work on munitions. By the end of 1916, 630 munitions plants employing over 300,000 workers were in operation in Canada. The creation of many "Honorary Colonels" helped to mobilize businessmen for war work. By the end of 1915, 212,000 men were under arms, and another 500,000 were called. Recruiting was on the decline by this time, however, and by the end of 1915 the government found it necessary to lower the physical standards for volunteers and to make other changes designed to stimulate recruiting. By the end of 1916, 434,000 men were in

*First overseas forces*

active service either in Canada or abroad. In all 619,636 men saw service in the Canadian Expeditionary Forces, and of this number 424,589 went overseas.

*Recruiting  
statistics*

Recruiting statistics show that of the first 250,000 volunteers, over sixty per cent were born in Great Britain, and the general statement may be made that enthusiasm for recruiting varied inversely with length of residence in the Dominion. Official figures issued in February, 1916, indicated that among the Canadian volunteer forces, thirty per cent were native-born and sixty-two per cent came from the United Kingdom. Moreover, the city population seemed to respond in greater numbers than the rural population, and in general the West seemed more enthusiastic for war than the East.

*Decline in  
recruiting*

By the end of 1916 the use of moving pictures, patriotic speakers, women sent to hunt recruits, and other devices to bring pressure to bear on the timid and the wavering, failed to yield the desired number of soldiers. High wages were attracting many workers into the munitions industries, farmers were loath to leave their farms especially when the government was urging them to increase food production, and many Canadians, in spite of a vigorous propaganda, still lacked understanding of imperial affairs. It was evident by the end of 1916 that recruiting by the volunteer method had virtually reached its limit. In the face of this difficulty, some urged a registration and classification of the man-power of the nation for war work, others favored conscription, and many concluded that Canada had already been bled white by the war and could do no more to help the Empire.

*French  
Canadians  
and war*

The situation in French Quebec was watched with keenest interest throughout the Dominion. The first Canadian contingent to go overseas contained twenty-three per cent French Canadians among the total of Canadian-born troops, and some special French-Canadian battalions were raised at the beginning of the war. As late as January, 1916, Prime Minister Borden paid a tribute to Canadians of French stock for their work on the battlefield. In general, however, to the outsider Quebec seemed to be only passively loyal.

*Reasons for  
their attitude*

There were abundant reasons for this attitude, but unfortunately they were quite misunderstood in the English-speaking provinces of the Dominion. First of all, Quebec was *old* Canada, and its people felt no connection whatsoever with the European world. Reared by church and nationalist leaders in the faith of *La Nation Canadienne*, many of the *habitants* saw no reason why their country should be drawn into the vortex of European intrigues. This inertia was a natural condition which had existed for more than a century. The leaders of the Catholic Church pronounced the war a righteous cause, but probably did not feel it their duty to urge recruiting. It must also be remembered that Quebec was a rural section with few towns, a province of early marriages and large families. Moreover, the Government had done little publicity work among the French



Canadians in the first year of the war, and there were few militia regiments in Quebec which could serve as a nucleus for new volunteer forces. In a sense the passive patriotism of the Quebec *habitant* was in direct proportion to his lack of education in imperial matters. His political responsibilities had hitherto been limited by the boundaries of Canada, and sometimes by the province in which he lived. Moreover, Nationalists like Bourassa and his chief lieutenant, Armand Lavergne, began to criticize the Allies early in the war for their secret diplomacy, and to denounce Ontario's "Prussians" as worse than the Germans.

The new controversy over the bilingual question in the schools of Ontario (there were now 200,000 French in the province) served to add fuel to the flames of racial and religious controversy. The trouble dated back to 1912 when the Ontario Department of Education issued Regulation 17, an order intended to insure the teaching of English in the schools of the provinces. Laurier declared that in actual practice it "created a restricted atmosphere in which French could be taught." The use of French as the language of instruction was permitted where necessary, but pupils were expected to begin the study of English at once and to take up as soon as possible the regular course of study prescribed for public and separate schools. The time for French instruction was, under ordinary conditions, not to exceed one hour a day.

*Ontario's  
bilingual  
question*

Early in 1916 two teachers in an Ottawa school were dismissed because of the bilingual controversy. Disorders and strikes followed and many bilingual schools were closed for a time. A French-Canadian paper in Ottawa thundered against this "Prussianism and Barbarity" toward the French minority, and the Ontario Orangemen retaliated in kind. A resolution introduced in the Dominion Parliament to effect a compromise failed of adoption largely because Borden did not favor interference in the educational affairs of a province without the latter's prior consent. On the other hand, the Nationalist group of Quebec seemed determined to make this Ontario question a national issue, and claimed that "the constitutional equality of the French and English languages throughout Canada" was at stake. The churches of Quebec took up collections for the "wounded of Ontario," as the French Canadians of this province were described, and Bourassa attacked both major parties with equal vigor. Laurier saw the rising tide of hatred and suspicion and viewed with the greatest alarm the development of a situation which was likely to undo the conciliatory work among the two Canadian races to which he had devoted his energies for more than a generation.

*Ontario  
"Prussianism"*

In the meantime party politics were being revived rapidly. Laurier, as leader of the Opposition, supported the war but did not thereby surrender his right to criticize war methods or the war record of the Government. The Liberals did not, in the main, oppose either the Government's program for raising troops or for financing the war,

*Revival of  
partisan  
politics*

but they did insist on their right, conceived as a patriotic duty, to expose fraud and graft in connection with the development of the war program. The enormous war contracts let in Canada, estimated as early as July, 1915, at nearly \$395,000,000, and the hurry incident to the mobilization of the nation's resources, led to opportunities for profiteering and fraud which seem to follow inevitably from the lowering of the national morale accompanying a great war. Before the end of 1915, Parliament and the country were discussing alleged corruption in the awarding of war contracts, and two Conservative members were virtually forced to resign by the prime minister because of graft in purchasing drugs and horses for the government. In response to continued criticism the Government appointed the former chief justice of the Superior Court to make a thorough investigation of all charges of mismanagement. Some disgraceful episodes were uncovered, and several Canadians sought safety from prosecution by flight to the United States.

Much of the controversy centered around the activities of the minister of militia and defense. Colonel Hughes' friends maintained that he was making an unrivaled record for achievement in spite of embarrassing handicaps; his enemies denounced him as a bungling egotist not averse to awarding war contracts so that his friends might profit thereby. The *Toronto Globe* kept up a running fire against what it called "his aping of Napoleon as the world's other military genius." The worst charge against Colonel Hughes concerned the alleged awarding of contracts for shells to United States manufacturers at enormous profits, the deal being arranged through an intimate friend of the minister who was accused of collecting large commissions from American manufacturers. There were other difficulties over the type of rifle to be used by Canadian troops, indiscreet criticisms of British policies at the front, and an undoubted assumption of powers by Colonel Hughes which only the governor-general-in-council could legally exercise. Prime Minister Borden, on Laurier's insistence, instituted an investigation, and gradually stripped the stormy member of his cabinet of his extraordinary powers. Finally, in November, 1916, he requested Hughes' resignation.

In 1916, the Conservative prime minister asked for the extension of the life of Parliament for one year, promising to confine his program to "measures relating to or rising out of the war." The Liberals supported the petition to the British Parliament to amend the British North America Act for this purpose, probably because they wanted to avoid a "khaki election" while the war was at its height. This agreement, however, did not stop Laurier's attacks upon the Government for extravagance, and the Liberal leader insisted more and more on the right of the Opposition to be consulted on all important decisions. By-elections and elections in some of the provinces, moreover, seemed to indicate a slow but steady increase in the strength of the Liberals. The provincial elections of Quebec produced a sweeping

Colonel Sam  
Hughes

Extension of  
Parliament

Liberal victory, while in Nova Scotia the Liberals won thirty seats and the Conservatives only thirteen.

In 1916 the prime minister appointed a National Service Board to raise the 130,000 men necessary to fill the required quota of 500,000, and an inventory of the man-power of the Dominion was undertaken in the summer of the same year, because of the continued decline in volunteering. Later in the year many demands were heard for a coalition Government of experts, and this inevitably raised the delicate question of the place Laurier might occupy in such a coalition ministry.

In February, 1917, Borden went to London to attend an imperial conference and to participate in the meetings of the newly devised Imperial Cabinet, the harbinger of a new era in the history of the British Empire. The Canadian prime minister also found time to visit the battlefront. He returned to Canada in May, convinced that the principle had been recognized by England, that the dominions must henceforth be consulted in advance on matters of peace and war, but also convinced that conscription must be adopted in Canada to provide the man-power for the final efforts of the war. From the beginning of the war to the end of 1916, Borden had repeatedly stated that there would be no compulsion used in raising troops in Canada. It is significant that the policy of conscription was announced to the Dominion Parliament on the same day that the draft law was enacted by the United States Congress which by now also had entered the lists against the Central Powers.

*Borden visits  
Europe, 1917*

The Parliamentary session of 1917 was one of the longest and most turbulent in the history of the Dominion. A resolution to extend the life of Parliament to October, 1918, did not receive enough support to warrant Borden to take action. Laurier called attention to thirty unfilled vacancies in the House of Commons and protested against the passage of any important war legislation by a moribund Parliament. Moreover, the Liberal leader refused to enter a coalition Government if this implied acceptance of conscription. To have done so would have given Quebec to the Nationalists.

*Parliament  
in 1917*

At this critical juncture in political affairs, a Military Voters Act was passed, giving the franchise to all Canadian men and women in or out of Canada who were engaged in active war service and denying the vote to conscientious objectors. This was followed by the War Times Election Act, sponsored and drawn by Arthur Meighen, by which the ballot was given to all wives, widows, mothers, sisters, and daughters of Canadians serving overseas, while those of alien enemy birth or those of European birth naturalized since 1902 and using the language of an alien enemy country were disfranchised.

*Gerrymandering*

This extraordinary legislation was justified by the Conservatives on the theory that only those who fought for Canada should have the power to determine her political life. Arthur Meighen wanted the coming election to express "the real views of the Canadian

*Its justification  
by the  
Conservatives*



people." Most of the Liberals denounced the "Kaiserism" of the Conservative "Junker aristocracy" as a brazen effort to gerrymander the electorate in the interest of the existing Government. The Liberals pointed out that most of the immigrant groups of the West usually voted their party ticket, that the law was unfair to the aliens whom Canada had lured into the West by her immigration propaganda, and that it disfranchised by federal action many women who had recently received the ballot by action of the western provincial governments. The law was passed, however, by numerous applications of the closure rule.

*Conscription*

A conscription act was formally introduced on June 11. Its introduction was the signal for the disruption of the Liberal party. Laurier denounced the measure as illegal and contrary to the earlier pledges of the Government, as a political maneuver of a dying Parliament, and as a measure which was unnecessary, inexpedient, opposed by organized labor and the French Canadians, and likely to disrupt the nation. He argued that the measure would not yield the required manpower any more than the volunteering process had done, and he demanded a popular referendum on the question. Laurier's referendum proposal was defeated by a shift of western Liberals to the support of the Government.

*Breach in  
Liberal ranks*

Laurier clearly understood the rising tide of opposition in Quebec to such irritating methods of compulsion and saw in the passage of the act the destruction of his life's work to preserve harmony between the French and English elements in Canada, as well as an attempt to break up the Liberal power in Quebec and in the West. Many of the Liberals, however, no longer followed the advice of their veteran leader. Liberals like G. P. Graham, Michael Clark, F. B. Carvell, Clifford Sifton, and others, and Liberal papers like the *Toronto Globe*, the *Manitoba Free Press*, and the *Winnipeg Tribune* supported the draft as a measure necessary for the continuance of the war. The law was passed on August 28, 1917, by a vote in which old party lines were broken. The western agricultural group joined the Conservatives in support of conscription; the Nationalists switched to the Liberal side and demanded a popular referendum.

*Provisions of  
draft law*

The draft law provided compulsory registration of all males between the ages of twenty and forty-five and their classification for service in six classes, with exemptions for those engaged in necessary war industries, for the physically unfit, for conscientious objectors, and for those who might suffer a "serious hardship" if called into the army because of "exceptional financial or business obligations or domestic position."

*Coalition  
Government*

The demand for a coalition Government now gathered momentum rapidly. Laurier, as has been pointed out, refused to join forces with the Conservatives if this involved the approval of conscription. On July 16, twenty-six dissenting Ontario Liberals caucused without their veteran leader, and endorsed the draft. Liberal conventions were

organized in the West and elsewhere on a "win the war" basis, and these gatherings favored a new "national" Government. Borden, largely through the astute Meighen as intermediary, continued to negotiate with prominent Liberals behind the scenes in the hope of perfecting a Union cabinet before the fall elections which were now inevitable. On October 12, 1917, these efforts, partly honest and partly the result of partisan maneuvers, were crowned with success and a Union Government was organized. In the new ministry were such Liberals as N. W. Rowell, F. B. Carvell, T. A. Crerar, and seven others. The Conservatives retained thirteen places in the new cabinet and the Liberals had the other ten. New elections were called for December 17.

Canada's "khaki election" of 1917 was not greatly different from those of other countries where an appeal was made to the electorate while the war hysteria was at its height. The campaign promises of the Conservatives included such pledges as the enforcement of conscription, civil service reform, woman's suffrage, agricultural aids, additional taxes to stop profiteering with its consequent development of war millionaires, and finally the promise to carry the war through to victory at whatever cost. Borden denounced the referendum on conscription as impractical, drew many lurid illustrations from revolutionary Russia, and called on the voters to "keep faith with their fallen comrades." Conservative campaigners shifted the blame for a war-time election to the shoulders of the Liberal leader.

*"Khaki  
election" of  
1917*

Laurier, in spite of his seventy-seven years and the rigors of a Canadian winter, undertook a vigorous campaign which carried him as far west as the Pacific coast. He too declared that he would support the war to the bitter end and that he would abide faithfully by the results of the election. He considered conscription untimely and unnecessary, pleaded for the right of the people to express themselves on so vital an issue, and urged one more attempt to raise troops by the volunteering method. Liberals who still followed their aged leader attacked the Government for passing the War Times Election Act, for permitting profiteering, and for other inefficiencies and corruption, and promised, if returned to power, to lower the tariff, care for the returned soldiers and their dependents, and in general, provide more efficient methods for dealing with the problems of war and reconstruction.

*Laurier's  
campaign*

Outside of Quebec Laurier had little newspaper support, but his meetings were attended by large crowds, particularly in the West. In Quebec, his native province, he was often hooted and hissed by former supporters who had been stirred to opposition by Nationalist leaders. Nevertheless, the Nationalists put comparatively few candidates into the field, for after all they were agreed with the Liberal Opposition on the one outstanding issue, opposition to the draft. Bourassa staged large mass meetings in which he denounced conscription as "organized murder" and exposed the secret treaties of

*Quebec*

the Allies convicting them of imperialistic designs. At some of these anti-draft meetings there were threats of armed opposition, and intervention by the police became necessary. The clergy, while accepting the law as an accomplished fact, were on the whole unfriendly to conscription. Naturally the Conservatives and Unionists made good use of all "unpatriotic" incidents in Quebec in their campaign in the other provinces. "A vote for Laurier is a vote for the Kaiser" and "Don't turn the Liberty Loan over to Quebec to spend" were among the most effective slogans used against the Liberals.

*Nature of  
campaign*

The campaign brought to light a curious mixture of honest patriotism and sordid, partisan politics. The Government had most of the English press on its side, and the further advantage of staging simultaneously with the election a great Victory Loan "drive" with its machinery for a nation-wide appeal to patriotism. Most of the Protestant Churches, particularly the Methodists, urged their members to support the Unionists as a matter of Christian and patriotic duty, and, late in 1917, Laurier could write with much truth, "It has been my lot to run the whole gamut of prejudices in Canada. In 1896 I was excommunicated by the Roman priests, and in 1917 by Protestant parsons." Tales of German atrocities were specially exploited, and to good effect, among the newly enfranchised women voters.

*Outcome of  
election*

The election results showed that eighty-two Liberals in support of Laurier, thirty-eight Union Liberals, and one hundred and fifteen Conservatives had been elected. The Government thus commanded a majority of seventy-one. The French Canadians had voted almost unanimously against the Union Government, and, in spite of the Nationalists' propaganda, the Liberals carried sixty-two of Quebec's sixty-five seats. In Ontario only eight Liberals were successful, as compared with seventy-four for the Government, although Laurier polled 60,000 more votes in the province than in 1911. In the West only three of the fifty-five candidates elected were Liberals. The popular vote for the Government was 1,057,793; the total Opposition vote was 763,371. Nearly 235,000 soldier votes figured in these election results. Bourassa declared his satisfaction with the results and concluded that "in the conflict between Imperialism and Nationalism the place of the French Canadians is established." Obviously, he was thinking of the days to come when the political alignments of war time would break up again.

*Laurier as  
leader of  
Opposition*

The first session of the Unionist Parliament in 1918 passed many important war measures which will be considered in the next chapter. Laurier studiously followed the policy of avoiding controversies which might widen the breach in the Liberal ranks; he advised his countrymen to obey the conscription law. As far as the operation of the draft was concerned, time proved that Laurier was substantially correct in his objections to the measure. The enforcement of the law in Quebec led to serious draft riots, attributable, in part, to the Government's failure to launch promptly an educational campaign



among the French Canadians, and to its failure to select loyal French Catholics to supervise the operation of the law. All this was the more regrettable because the population of Quebec was entitled under the law to many exemptions due to early marriages, large families, and employment in agriculture. Indeed, it seemed needless to antagonize so large a population for so slight a gain in fighting strength.

Anti-draft meetings, mob violence, and police intervention marked the attempt to enforce conscription in many parts of the French province. French Canadians appealed to their provincial prime minister to petition the British Government for relief from the action of the Dominion Parliament. Bourassa counselled resistance to the draft as a national duty "to save the country from ruin, bankruptcy, and suicide," and his paper, *Le Devoir*, found the "germ of conscription" in the "voluntary expedition to South Africa" (in 1899), pointing out how it had been slowly hatched by imperial conferences, by the navy bill of 1910, and by other imperialistic measures. Bourassa argued that Canada had reached "the extreme limit" of her "capacity to pay for destruction." Throughout this bitter controversy, however, the Nationalist leader vigorously opposed all proposals to have Quebec secede from the Dominion.

*Draft riots*

In other parts of the Dominion conscription also failed to be a conspicuous success. It did not furnish the men for whom the government was calling, and the number claiming exemption exceeded all expectations. Many defaulted or deserted or appealed to the courts to stop the enforcement of the law. In August, 1918, the acting minister of militia complained bitterly of the "thousands . . . who have failed their country in their country's need." Five months earlier the Government had found it necessary by an order-in-council to cancel all exemptions for those between twenty and twenty-two years of age. The draft law failed to yield as many soldiers per month as volunteering had.

*Draft law  
disappointment*

The controversy over conscription, however, does not detract from Canada's heroic services to the Empire during the war. The total of her expeditionary forces and the total casualties, when compared in percentages of population with the record of other belligerents, reveal a story of sacrifice unequalled anywhere. Canada's total war casualties were approximately 225,000. Of this number over 51,000 were killed in action or died of wounds, and more than 175,000 were wounded or injured. The total number of missing and prisoners of war was a little above 10,000. The Dominion furnished troops for all branches of the military and naval service; Canadian units served in Palestine, Macedonia, and Russia, as well as on the western front. The flying service was especially noted for its rapid development and daring exploits.

*Canada's  
fighting forces*

It is impossible to discuss in detail the operations of Canadian troops on the western battlefield of Europe. As has been pointed

*On battlefronts* out, the first Canadian contingent went overseas in October, 1914, and amid great hardships was trained for service at the front during the winter of 1914-1915. The troops reached France in February, 1915, and took over an important salient on the Ypres front. The "Princess Pat" regiment, as the first Canadian regiment to go over was called, had virtually to be disbanded after six months of fighting because of terrible decimation in its ranks. It was refilled later, largely by university men.

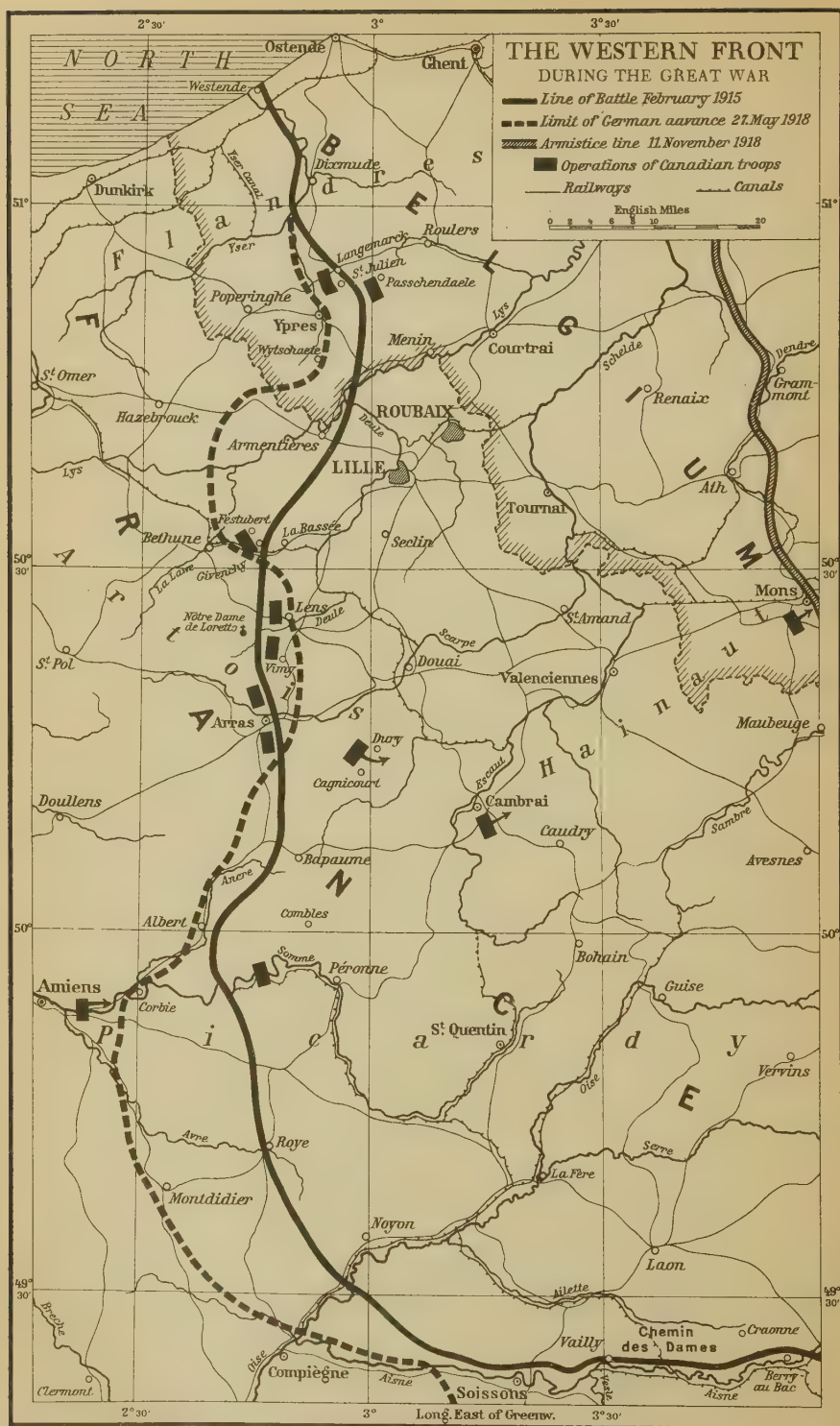
*Campaign of 1915* From April 22 to May 13, 1915, the Canadians played a leading rôle in the bloody second battle of Ypres; in spite of gas attacks, they stood their ground valiantly in rolling back a German assault on Calais and the English Channel. The victory was won after French, Turcos and Zouave troops had given way before the withering effects of chlorine gas. The Canadian casualties in these engagements around the villages of Langemarck and St. Julien exceeded five thousand. Before the close of the year, Canadian troops won new laurels in the battles of Festubert and Givenchy.

*Campaign of 1916* By the beginning of 1916 there were three Canadian divisions in France, comprising an army corps under Lieutenant-General Sir E. A. H. Alderson, K. C. B. Largely owing to differences with the Canadian minister of militia, he was soon superseded by Lieutenant-General Sir Julian H. G. Byng. During the winter of 1915-1916 the Canadians participated in numerous raids on the German trenches as part of the "nibbling" process in use on the western front at that time. Under the command of General Byng three Canadian divisions and the "Princess Pats" participated in the third battle of Ypres and later, with the addition of a fourth division, fought in the great battle of the Somme. The fall of 1916 found the Canadians engaged in the ceaseless attacks and counter-attacks which constituted the grueling trench warfare in western Europe. The total Canadian casualties at the end of two years' fighting were nearly 68,000. In 1916 alone over 4000 Canadians were decorated for conspicuous gallantry.

*Campaign of 1917* Early in 1917 Canadian troops held approximately one-fortieth of the western battlefront. In January they captured important trenches north of Arras. On April 9, four Canadian divisions and one British brigade, under the command of General Byng in the great battle of Arras captured Vimy Ridge from some of the best Bavarian troops on the western front. The assault was preceded by a terrific artillery preparation; after a three days' bombardment the troops advanced over ground torn by shell holes and mine craters, and covered with mud and wire entanglements. At this engagement the "tank," a new weapon of warfare, was introduced on the western front. After the battle of Vimy Ridge the Canadian troops received their first Canadian commander, Major-General Arthur W. Currie. The victory at Vimy Ridge was followed by new operations on the Arras front, particularly by an attack on Lens and, later, on the







Passchendaele Ridge in the fields of Flanders. The fighting in this sector proved indecisive and left the Germans still firmly entrenched in their positions.

In the first stages of the great German offensive in 1918, the last desperate effort of the Central Powers to force the war to a conclusion on the western front, the Canadians took little part. Their sector was comparatively quiet. In August, when the Allies prepared to launch their great counter-offensive, Canadian troops figured in the advance on Amiens and were active to the southeast of Arras. Early in September, they assaulted and captured Dury and Cagnicourt, key positions in the great Hindenburg line of defenses, to which the Germans had been forced to retreat. The end of the month found the Canadians on the outskirts of Cambrai, having captured sixty-nine towns and villages and liberated 175 square miles of territory in a two months' counter-offensive against the retreating enemy. On October 9, after one of the bloodiest battles of the war in which there were 16,000 Canadian casualties, Dominion troops entered Cambrai. In a little over five weeks' fighting they had made 28,000 prisoners and captured 500 guns and over 3000 machine guns. Canadian troops continued to push forward across the Belgian border and on the day of the Armistice, November 11, 1918, the Third Canadian Division entered Mons. On December 13, Canadian soldiers crossed the Rhine and marched into Bonn and Cologne as part of the Allied Army of Occupation.

*Offensive  
of 1918*

Of the total number serving in the Canadian Expeditionary Forces, only about eighteen per cent were drafted into service, the others being volunteers. Ontario sent 205,808 volunteers, Quebec 52,993. The honors distributed for gallantry among the Canadian contingents reached a total of 17,000; sixty-four Victoria Crosses were won by Dominion troops. The feeling of national pride which greeted the victorious troops at the close of the war was somewhat diminished by a wide-spread controversy, started by charges of Colonel Hughes on the floor of Parliament that General Currie had uselessly sacrificed Canadian lives in the attack on Mons, although, it was claimed, he knew that the Armistice was to go into effect four hours later.<sup>1</sup>

*C. E. F.*

Returning the troops to Canada was a tremendous task carried out not without considerable rioting and unrest and even mutiny among the war-weary veterans who were compelled to wait in British camps for transportation home. From December, 1918, to the summer of 1919, troops were returned at the rate of 3,400 per month. About 4000 remained on the Siberian front to battle the Russian revolutionary forces, and one field artillery brigade was kept at Archangel in the futile effort to overthrow the Bolshevik régime in Russia.

*Closing events*

<sup>1</sup>On May 1, 1928, Sir Arthur Currie was awarded \$500 by an Assize Court jury in an action of libel against certain newspaper publishers, who had printed an article alleging needless loss of life by Canadians at Mons in 1918.

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## CHAPTER XXVIII

### WAR WORK ON THE HOME FRONT

MODERN wars are won quite as much by the war work of those remaining at home as by the more spectacular deeds of those who do the fighting on the battlefield. The mobilization of a nation's economic resources is as important a function of war-making governments as the mobilization of fighting units. The story of Canada's domestic reorganization during her greatest national emergency is a vital and even a dramatic part of Canada's war history. *Home front*

When news of the declaration of war reached Canada in the summer of 1914, its first effect upon the financial situation of the Dominion was to cause a run on the leading banks by panicky depositors. The Canadian banking laws require that depositors be paid in gold or Dominion notes; since the latter were also convertible into gold on demand, there was grave danger that the withdrawal and hoarding of gold would lead to a serious panic. In this emergency the Government, after conferences with the leading bankers of the Dominion, issued an order-in-council authorizing banks to redeem their liabilities in their own bank notes, and promising them that the Government would advance Dominion notes to any bank on deposit of proper securities with the minister of finance. By this arrangement the authorized Dominion note issue was increased by \$25,000,000. These extraordinary provisions were deliberate violations of the banking laws of the Dominion, and had to be legalized by Parliament when it reassembled in August 1914. No difficulty was encountered in securing this approval, because the Canadian people were convinced that only by such drastic provisions for a more elastic currency could the Dominion be saved from serious financial difficulties. Nevertheless, the first months of the war brought industrial depression, unemployment, and a general disarrangement of the Canadian economic structure, and the Government's plan to promote public works did little to alleviate this situation. *Financial mobilization*

The large amounts of money needed to finance Canada's war program were raised by loans from her own people in the form of bond sales, by loans from England, and to a small degree, by loans floated in the United States. By the end of the first year of the war the Dominion was spending \$14,000,000 a month on war activities, and by the end of 1916 the war was costing Canada \$1,000,000 a day. The Canadian national debt increased from \$330,000,000 before the war to over two and two-thirds billion dollars in 1919. Almost eighty per cent of this debt was held at home, and bankers and po- *War loans*

litical leaders derived much comfort from this evidence of the financial stability of the Canadian nation. As late as 1927, however, of the total public expenditures of the Dominion, forty-five and eighteen hundredths per cent was attributable to the war. Most of this amount was needed to pay the interest on the public debt, ten and sixteen hundredths per cent went for war pensions, and two per cent for soldiers' civil reestablishment.

*War orders*

During the first few months of the war most of Canada's war purchases were made in England, and from September, 1914, to March, 1915, the British treasury advanced about £12,000,000 to the credit of the Dominion. As the war progressed, the principle followed in this program of war financing was to have Britain lend Canada the money in London to pay for Canadian military expenses overseas, while Canada repaid the mother-country by placing money to her credit in the Dominion. With these credits Great Britain in turn paid for the munitions, food products, and other supplies bought from Canada. To complete the financial circle, it may be added that it was from the sale of these products to the Empire that Canadians derived the money which they subscribed for Dominion war loans.

*Foreign and domestic loans*

In July, 1915, the Canadian government floated a short time loan for \$45,000,000 in the United States through the agency of the great New York banking syndicate of J. P. Morgan and Company. Early in 1916 another loan of \$75,000,000 was raised in New York, and in the summer of 1917 an issue of two-year notes for \$100,000,000 was placed in New York. The first Canadian domestic loan was attempted in November, 1915, not without considerable fear as to the results of offering to a people who had never subscribed to a loan of even \$5,000,000, the chance to contribute \$50,000,000. The bonds sold at ninety-seven and a half, and matured in ten years, with interest at five per cent. The loan was a sensational success, and instead of the \$50,000,000 asked for the Canadian public subscribed over twice that amount. In 1916 and 1917 two additional loans were floated. The first was a request for \$100,000,000 and yielded subscriptions of \$200,000,000; the second was for \$150,000,000, and \$250,000,000 was subscribed.

*Bond "drives"*

Elaborate methods of publicity were devised for these bond "drives" to reach as many small investors as possible; bonds were sold in denominations as low as fifty dollars. All possible agencies, such as the schools, the churches, banks, fraternal, and patriotic societies, were mobilized to insure the success of the bond campaigns. These methods reached their maximum efficiency in the three "victory loans" floated in 1917, 1918, and 1919 which yielded in all \$1,700,000,000. By these final loans Canada was enabled to close the war with all her debt funded in the form of obligations, the longest of which ran to 1937.

At the end of the war Great Britain, in spite of heavy Canadian loans in London, owed the Dominion a balance of \$400,000,000 for

supplies. When peace came the "victory loans" of Canada were quoted at figures above the price of issue, a situation maintained by the work of a Victory Loan Stabilization Committee which bought all offerings of bonds at fixed prices with funds provided by the government in order to protect the value of Canadian securities on the stock market. War savings stamps and thrift stamps were sold by the government, in addition to these bond issues, in order to attract the savings of investors of small means. War savings stamps, issued in 1916, sold at \$8.60, and had a maturity value of ten dollars in five years. Most of Canada's war expenditures were met by borrowing, and most of the money borrowed remained within the Dominion to pay for the purchase of war supplies.

Besides borrowing to secure funds, the government resorted to many kinds of war taxation. The budget of 1915, the work of Sir Thomas White, who served as minister of finance from 1911 to 1919, levied special taxes on banking and insurance companies, on checks and other commercial paper, on money-orders, sleeping car and steamboat tickets, wines, patent medicines, and some toilet articles, and increased the postal rates of the Dominion. The tariff duties were uniformly increased seven and a half per cent, and an increase of five per cent was made in British preferential rates. Tampering with the tariff was opposed by the Liberals as a device "based upon protection and politics, not upon revenue and patriotism." But the changes in the tariff were defended by members of the Government on the plea that more revenue was badly needed, and that in the midst of a war was not the proper time to take up the tariff item by item.

*War taxes*

The budget of 1916 introduced a new feature in the form of a Business Profits War Tax Act. This excess profits tax was devised primarily to deal with the swollen fortunes caused by the war, through unscrupulous profiteering by some producers of war supplies. The excess profits tax, as first enacted, provided for a tax of one-fourth of all profits in excess of seven per cent upon the actual capital of corporations, and in excess of ten per cent upon the capital of individuals or partnerships. The law was made retroactive to the beginning of the war, but, with the exception of manufacturers of munitions, all those whose capital was less than fifty thousand dollars were exempted from the operation of the act. In addition, the law did not apply to those engaged in agriculture or stock-raising. In 1917, the law was made more drastic, and the tax on profits exceeding fifteen per cent was increased to fifty per cent, and that on profits exceeding twenty per cent was raised to seventy-five per cent. In the same year the Dominion Parliament passed an Income War Tax Act.

*Excess profits  
tax*

To the funds officially raised by the government by loans and taxation must be added the millions voluntarily donated by private individuals and organizations if we would appreciate the full extent of Canada's financial sacrifices. Voluntary contributions during the war to various kinds of patriotic work may be conservatively esti-

*Private  
donations*



mated at over \$100,000,000. Private citizens and many organizations gave money for the purchase of machine guns in the early stages of Canada's preparation for participation in the war. A Canadian Patriotic Fund was raised, primarily to add to the allowances made by the government to widows and dependents of men entering the army, and donations for this purpose were received from individuals, towns and provinces. The city of Toronto insured the life of every soldier who enlisted. Belgian relief organizations were formed and practically all the churches organized units for war work, although some, apparently on moral grounds, refused to contribute for the purchase of tobacco and liquor for the soldiers overseas.

*Patriotic  
societies*

Organizations like the Imperial Order of the Daughters of the Empire sent cigarettes, candy, periodicals, knit goods, and hospital supplies to the army camps. Fairs, bazaars, and "tag days" were arranged in order to raise money, canteens were maintained at railroad stations, and thousands of women went to work in munitions plants to take the places of men who entered the service, while others, by a great variety of methods, sought to stir laggard youths to realize their duty to enlist in the sacred cause. Ambulance associations were formed and hospitals established in many places. The Canadian Red Cross alone handled \$30,000,000 during the war. As an example of the magnitude of its tasks, it may be pointed out that in 1918 alone, the Dominion Red Cross sent to Europe 1,608,214 socks, 370,000 pajamas, 223,000 shirts, 680,000 towels, and tons of other supplies. The organization continued its activity during the period of demobilization and the repatriation of war prisoners. The individual provinces also spent vast sums in all kinds of war work, from equipping hospitals and soldiers' homes to donating grain and war material to the mother-country.

*Munitions  
industry*

The war afforded the stimulus for the creation of a vast munitions industry in Canada; scores of factories were converted from their original purposes and equipped for the production of shells, guns, and other war supplies. By the end of the first year of the fighting, war orders placed in Canada were estimated at nearly \$400,000,000; a large percentage of this sum went to the new munitions plants. By the end of 1916, there were 630 munitions factories in the Dominion, employing over 300,000 workers. A government Shell Committee was appointed to supervise the production and distribution of this war material, and this agency was later expanded into the Imperial Munitions Board. By the end of 1916, Canada had loaned Great Britain \$175,000,000 to pay for munitions purchased in the Dominion. All together, 62,000,000 shells were sent overseas before the close of the war, and \$65,000,000 was spent in building ships to carry over these war supplies faster than the German submarines could sink them. In the light of the history of other wars, it was not surprising that this vast program could not be carried out without ugly charges of mismanagement and dishonesty.

The government also sponsored an elaborate program for the conservation of food and for the increase of food production. "Food will win the war," was the slogan which patriotic war workers dinned incessantly into the ears of housewives and farmers alike, in the effort to increase production and reduce consumption, so that food supplies might be liberated for exportation, to counteract the ravages of German submarine warfare which was threatening the life of the allied nations, particularly England. As the war progressed, it became necessary to evolve machinery to prevent hoarding and profiteering in foodstuffs. On June 20, 1917, W. J. Hanna became food controller of the Dominion, under the War Measures Act. After a conference with Herbert Hoover, the food dictator of the United States, he launched a nation-wide program to stimulate production and conserve food supplies without hoarding.

Most of the work of the food controller was carried on by methods of publicity and by an appeal to the patriotism of the people, and without compulsory regulation of prices. Canada soon accustomed herself to "war menus," "war gardens" were instituted on many vacant lots, even in the cities, and the farmer was urged to increase his production, because "every pound of food raised in the Dominion is another spike in the torpedo tubes of the German submarines." The government fixed the price of wheat for the 1916 crop at \$2.40 a bushel, permitted free trading in wheat with the United States, and tried to aid and control the distribution of the entire crop. In 1917 the prices fixed for Canadian wheat were identical with those fixed in the United States. On November 5, 1917, an order-in-council forbade the use of grain in the manufacture of liquor during the rest of the war, and thus furnished the entering wedge for prohibition. Eating houses were regulated and food dealers licensed by the government. An order-in-council of June 8, 1917, created a Dominion fuel controller. Local fuel boards were promptly organized, and early in 1918 the Dominion experienced three "heatless days" in an effort to solve the problem of conservation and distribution of coal for essential war industries. "Daylight saving" was adopted as another method of increasing production in war time.

The number of special commissions and boards created to deal with the emergency needs of the nation during the war was so large that only a few of the more important can be noted here. In 1916, a national service board was appointed to direct the raising of volunteers and to classify the man-power of the nation with a view to determining the needs of commerce and industry, as well as those of the military establishment. Organizations were formed to stimulate industrial research. Early in 1918, a department of public information was created to provide speakers and other means of giving publicity to the reasons for Canada's entry into the war and to explain the war aims of the Allies. This organization was mainly concerned with the maintenance of morale and a united public opinion in support of the

war on the "home front." A war trade board was organized to co-ordinate Canadian production, classify the essential industries, grant priority orders for the distribution of their products, and provide coöperation with the industries of the United States in the use of raw materials and the production of war necessities. The Dominion power board was devised to supervise and develop the power and fuel resources of the country, while a commission on conservation dealt with all kinds of problems, from the preservation of natural resources to housing programs and town planning for colonies of war workers.

*Other war  
measures*

All purchases of supplies were eventually concentrated in a war purchasing commission. In addition, there were boards of conciliation to deal with impending labor disputes, and an advisory council for scientific and industrial research. Long before the end of the fighting, various governmental agencies were charged with studying the problems of reconstruction, so that the country would not be found unprepared when the readjustment to a peace basis had to be made. A new department, headed by the minister of soldiers' civil re-establishment, was organized early in 1918 to deal with such problems as the employment and housing of returned soldiers and efforts to settle them on public lands, and to provide them with vocational training or government pensions in accordance with the degree of their disabilities. All of these enactments, many of them in the form of orders-in-council, and others in the form of Parliamentary statutes, were the work of the Unionist Government under the direction of Prime Minister Borden.

*Railroads in  
war time*

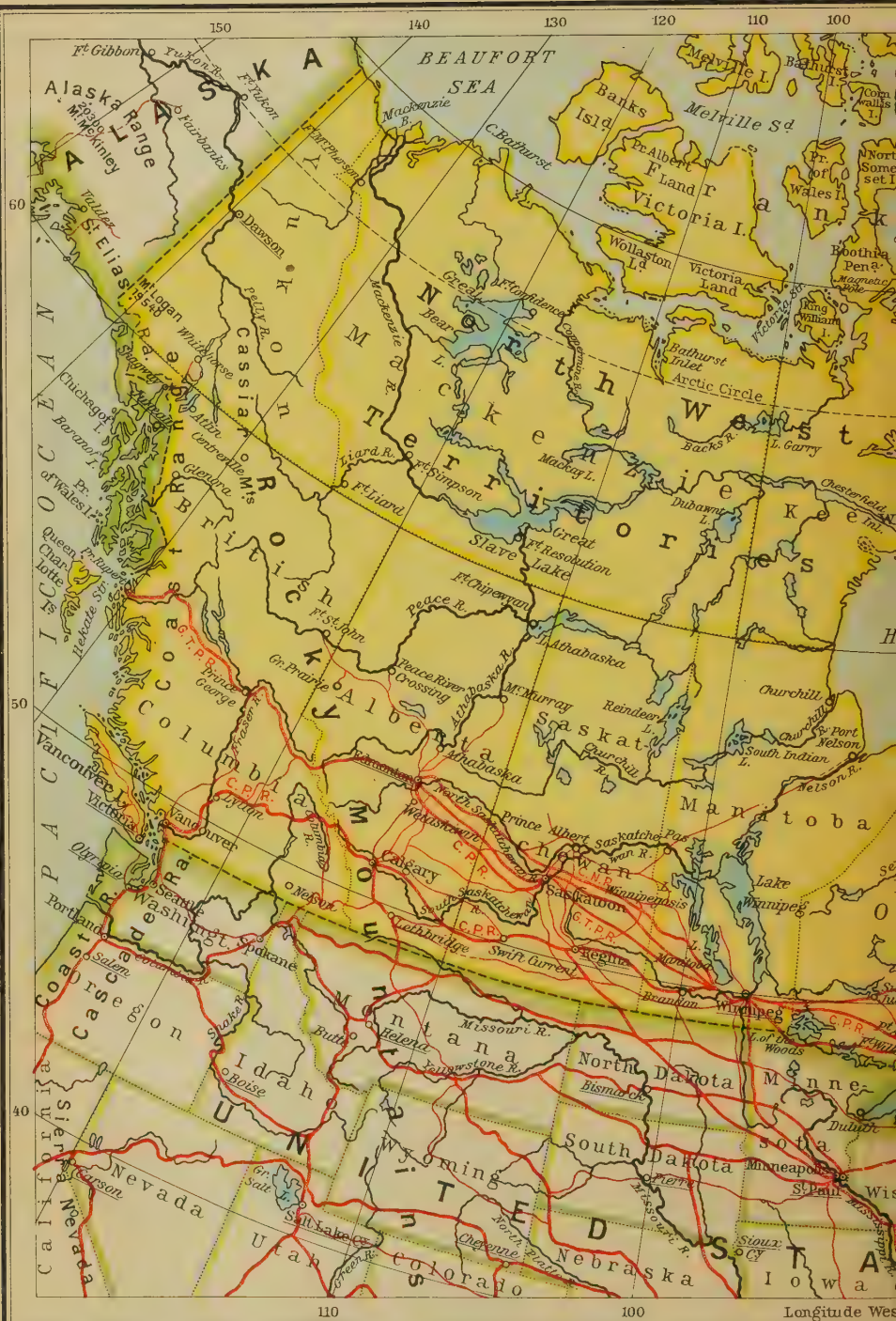
The railroads constituted a particularly difficult problem, for the extraordinary demands of the war caused a tremendous strain upon the Dominion's railroad facilities. While most of the roads were able to move troops and war supplies with a fair degree of promptness, some found it impossible to maintain their equipment at standards of maximum efficiency. Rolling stock began to deteriorate rapidly, rates could not be raised to keep pace with the advance in wages and the increase in the cost of supplies, and new loans could not be floated easily on a stock market glutted with "victory" bonds and other war securities. In the face of a record volume of business, the number of railroad cars proved inadequate and many costly delays resulted. While the Canadian Pacific managed to weather the crisis, the government soon found it necessary to come to the rescue of other roads which were vital to the Dominion's transportation system and could not be neglected in time of war.

*Government  
support*

In 1917, the government had to lend the Grand Trunk Pacific \$7,500,000 to enable the road to meet the interest on its securities and to make some extremely necessary improvements. The Canadian Northern was in still greater difficulties, and many other lines were in need of government support. In the fall of 1917, at the Government's suggestion, a Canadian Railway Association was formed, consisting of the presidents of the Canadian Pacific Railroad, the Canadian









# GREEN-RAILROAD MAP OF THE DOMINION OF CANADA

Principal Railways  
Other

Capitals of Provinces and States are underlined.

English Miles

0 100 200 300 400 500





Northern, the Grand Trunk Pacific, and the New York Central, in an effort to coördinate the railway lines of the country and provide coöperation in the use of each other's facilities. Subsequently, a government board was appointed to study the problem; this body recommended that the Canadian Northern, the Grand Trunk, the Grand Trunk Pacific, the Intercolonial, and the National Transcontinental be consolidated, by act of Parliament, under the control of a board of trustees. This board, a non-political and permanent body, was to control all the railways in the interests of the nation as a whole, the government to guarantee the interest on existing stock issues of the companies concerned. It was pointed out that prior to this emergency the roads involved in this new arrangement had received in one form or another government aid amounting to almost a billion dollars. As another attempt to furnish relief, the Dominion Railway Commission, in the face of a violent protest from the western provinces, permitted an increase of from ten to fifteen per cent in railroad rates.

It is clear from these facts that the Dominion, soon after the outbreak of the war, was face to face with a situation that demanded immediate action and left no time for a theoretical discussion of the relative merits of private and public ownership of the railroads. The Grand Trunk and the Canadian Northern needed help desperately and had reached the limit of their ability to borrow on the stock market. To perhaps a majority of the people, it seemed unreasonable that the government should continue to meet the deficits of private roads without controlling or owning them. The West particularly was strongly in favor of nationalization.

*Drift to  
government  
ownership*

Before the close of the war, the Canadian Northern was taken over by the government; 400,000 shares of its stock were already in the hands of the government as security for a guarantee of its bond issues, and the other 600,000 shares were acquired at a price of \$10,800,000 fixed by a board of arbitrators. Since Canada already owned the Intercolonial and the National Transcontinental from Moncton to Winnipeg, the Dominion now had the roads necessary for the development of a great national railroad system. In 1919, the Grand Trunk Pacific was officially taken over by the government, the price to be fixed by arbitration, although the road was already under the control of government receivers owing to its failure to meet interest payments on its securities. The Grand Trunk was the last great system to be added to the Canadian National Railways. The problems incident to the nationalization of all the great Canadian roads except the Canadian Pacific, and the attempts to operate them profitably, will be treated more in detail in a following chapter.

*Nucleus for  
Canadian  
National  
Railways*

The war years also served as a great stimulus to organized labor in Canada. Labor unions have always enjoyed their greatest growth in a time of rising prices and national prosperity, and the experience of organized labor from 1914 to 1918 was no exception to this rule.

*Labor and war*

From 1915 to the close of the war, the increase in union membership in Canada was estimated at 100,000. The great majority of organized labor in Canada, as in the United States, supported the Great War as "labor's war" and the "war to end war," and coöperated faithfully with the Government in carrying out its war program. Nevertheless, unrest among the laboring classes steadily increased as the war progressed. War profiteering, the rise of scores of war-time millionaires, and the soaring cost of living, convinced labor leaders that they must insist upon a greater share of the wealth which labor produced. In spite of boards of conciliation and favorable labor legislation in some of the provinces, strikes could not be avoided. In 1917, there were 141 strikes; in 1918, there were 169. A widespread strike of railroad employees was avoided only by applying to Canada the terms of the so-called McAdoo award, by which the United States kept peace in her railroad industry during the war. Strikes of a serious nature occurred in the West in 1918, while the tendency of policemen to organize unions raised a new phase of the labor problem, and thoughtful people questioned whether public servants, charged with the preservation of law and order, had the right to organize unions and resort to strikes.

*Strikes*

The Government early in 1918 sponsored a general Labor Conference at Ottawa in order to work out the basis for a truce between capital and labor. It also established a national Labor Court of Appeal to review the findings of local boards of conciliation. Finally, an order-in-council, issued in the fall of 1918, sought to prevent strikes and lockouts altogether. A growing minority of radicals began to challenge the leadership of the older union officials, and in various parts of the Dominion plans were made during the war years for the launching of a Canadian Labor Party. The spirit of unrest invaded the ranks of government employees, and the postal workers demanded an increase in wages and asked for the appointment of a board of conciliation to deal with their demands under the Industrial Disputes Investigation Act. When the Government refused this request, a brief strike followed which was finally terminated by a sub-committee of the Government. Labor troubles were among the most serious problems of the reconstruction period and will be referred to again in that connection.

*Alien enemies*

The problem of alien enemies resident in the Dominion at the outbreak of the war proved a source of worry to a great many Canadians who feared pro-German activities and plots against the government by settlers who had so recently emigrated from the Central Powers. According to the census of 1911, there were 121,340 foreign-born Austro-Hungarians and 39,577 foreign-born Germans in the Dominion. Three-fourths of the immigrants from Austro-Hungary and almost a half of those from Germany had arrived since 1901. If to these be added the number of immigrants born in Bulgaria and Turkey, nations allied with the Central Powers in the war, the total



foreign-born from allied countries exceeded those from the enemy countries by only 4,000. There were of course many others of German origin, although not born in Germany, who presumably felt strong sympathy for the cause of their old fatherland or the fatherland of their parents. The general testimony of Ontario and the western provinces, where this "alien enemy" population was concentrated largely, was that the conduct of the vast majority of this class was quite inoffensive during the early months of the war. As a matter of precaution, alien enemies were compelled to register with the government authorities, and were disarmed and then usually paroled, with the understanding that they were to report at stated intervals to the registering officials. By 1916 however, over 6,000 alien enemies had been interned.

As the war dragged on into years, and heavy Canadian casualty lists began to come in, feeling became more tense, and a war hysteria developed in which tales of ordinary indiscretions by those of German stock often were magnified into horrible conspiracies against the nation. As a result, the treatment of alien enemies and of all those of German blood in particular, became more severe and intolerant, especially after 1916. Some of the German language newspapers in Canada got into difficulties because of their indiscreet or unpatriotic comments on the progress of the war, and a number of leading German-American papers, together with Irish-American and Hearst papers, published in the United States, were barred from the Canadian mails, due to the frankly pro-German attitude which some of these papers maintained in the days before the United States became a party to the war with Germany.

*Increasing  
friction*

Serious anti-German riots broke out in Victoria, British Columbia, and sedition trials were held in a number of western provinces, but in spite of this popular excitement, the officers of the Royal North-west Mounted Police reported in 1916 that they did not need the proposed increase of five hundred men for policing the western provinces. The temporary disfranchisement of all immigrants naturalized since 1902, coming from countries using the language of the enemy, was part of the War Times Election Act of 1917, and has been discussed in that connection. The holding of church services in the enemy tongue was prohibited by organizations of patriots in many parts of the Dominion, and parochial schools also came under the ban. The town of Berlin, Ontario, settled largely by Pennsylvania Germans who had never seen Germany, found it advisable to change its name to Kitchener, and did so as the result of a popular referendum. These anti-German demonstrations reached their climax at the time of the draft and the "drives" for the sale of bonds, when the excitement of the people was at fever heat. Viewed from the perspective of peace days, it is possible to conclude that, on the whole, Canada's alien enemies gave very little trouble, and generally they were content

*War hysteria*

to continue their ordinary routine of life as quietly as their hysterical neighbors would permit.

Women's  
suffrage

As in the case of the prohibition movement, which by 1918 had affected eight Canadian provinces, the war did much to quicken the interest of the public in the important political reform of woman's suffrage and helped to bring the agitation to a climax. In the face of the splendid war record of the women of Canada, and in view of the democratic principles avowed as the real goal of the war, it would have been inconsistent and indefensible to bar one-half of the population from voting for the sole reason of sex. In 1916, the cause of equal suffrage triumphed in Alberta, Saskatchewan, and Manitoba. British Columbia authorized a referendum on the question, and woman's suffrage was to go into effect on January 1, 1917, if approved by the voters. In the same year, Ontario gave women the provincial franchise. The War Times Election Act of 1917 provided for partial woman's suffrage throughout the Dominion.

#### SELECT BIBLIOGRAPHY FOR CHAPTER XXVIII

The details of the mobilization of Canada's resources for war work, and the progress of the various movements referred to in this chapter, can be worked out best by using the volumes of the *Canadian Annual Review of Public Affairs*.

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## CHAPTER XXIX

### THE PROBLEMS OF RECONSTRUCTION

THE immediate and pressing problem after the conclusion of the armistice of November, 1918, was the reestablishment of the Canadian soldiers in civil life and the readjustment of the nation's industrial activities to the demands of normal peace times.

*Demobilization*

Canada made every effort to carry out the demobilization of her expeditionary forces and their return to the homeland as speedily as possible, and for the first six months after the close of the war, the men were reëmbarked for Dominion ports at the average rate of 3,400 a month. Nevertheless, this was not rapid enough to suit the wishes of the war-weary veterans, and the demobilization process was therefore accompanied by much unrest and some serious disturbances in the camps where troops waited most impatiently for the order that would release them from the irksome routine of army life. The Canadian Red Cross during these months of demobilization and readjustment proved of great value in caring for the sick and wounded, and gave aid in a dozen ways to the veteran who was trying to reestablish himself in civil life.

A special department of soldiers' civil reestablishment was created to deal with the problem of the returned soldier. This work, under the direction of Sir James Longheed, had many ramifications, but was concerned chiefly with three main tasks: namely, rendering medical service to sick and disabled veterans, retraining the disabled for useful service in some vocation for which they could be fitted, and finding employment for discharged soldiers. During the first few months of readjustment, the government granted subsidies to help meet the most immediate needs of the discharged men and their dependents. A scale of pensions was fixed which compared very favorably with what other nations were doing for their disabled men, and by 1920 the pension for total disability cases amounted to \$720 a year, while the allowance for widows or dependent parents of soldiers killed in the war was fixed at \$576. In the 1920 session of Parliament, a bill was passed providing for a system of state insurance for returned soldiers. Statistics for March 31, 1925 showed that the total pensions in force at that time for disabled veterans and their dependents amounted to 64,613, with an annual liability to the government of \$31,621,205. The number of applications for such relief is still increasing.

*Pensions and  
soldier's civil  
reestablishment*

A number of special hospitals were opened by the government to care for those whose lives had been wrecked by the war, and the



*Hospitals and  
vocational  
training*

skill of some of Canada's best medical and surgical staffs was employed in the effort to rebuild these victims of the war for some kind of service useful to themselves and to the nation. The Canadian Medical Corps had made an excellent record during the war, and many of its members continued to serve the government in this new task of rehabilitating the disabled. Under the supervision of the department of soldiers' civil reestablishment, vocational training of a wide variety was instituted for those whose education had been prematurely interrupted by the call to arms, and for those who were so disabled that they had to be taught some new means of livelihood.

*Government  
aids*

The Canadian government, in addition to its direct expenditures on vocational education, paid allotments to disabled soldiers and their dependents while the former were in training in the government schools. In 1921, additional legislation was passed continuing the financial aids to returned soldiers, giving them preferential treatment in filling offices under the civil service, and providing other means of relief for the disabled who were still unemployed. An effort was made to stimulate business activity by continuing the building of public works, in order to absorb as large a labor supply as possible while the Dominion's war industries were being deflated. The Dominion government also appropriated large sums to help build workers' homes and thus contributed to the solution of the housing problem existing in an acute form in many localities during the early years of reconstruction. In addition to its direct expenditures, the Dominion government granted financial aids to provincial governments which were working out relief programs of their own. In order to provide for a wide range of public health work, the Dominion council of health was established.

*Soldiers and  
land*

A well organized effort was made by the government to settle the returned soldiers on the vacant farming lands of the West. Under the direction of a Land Settlement Board, a plan was worked out to enable the prospective settler to acquire a homestead on easy terms. About one-third of the members of the Canadian Expeditionary Forces indicated a willingness to undertake farming or the raising of stock as a means of livelihood, and the government not only prepared to dispose of the public lands still under its control, but also bought some privately-owned lands in the provinces to resell at cost and with easy payments, extending over a period of twenty-five years, to soldier-farmers. To equip the farm the new settler could borrow as much as \$2000 from the government for the purchase of live-stock and implements, and an additional \$1000 for permanent improvements, the loans to bear interest at five per cent, and to be repaid within four and twenty-five years, respectively.

*Land  
settlement plan*

By the end of 1919, the Land Settlement Board had lent over \$51,500,000 to 17,000 returned soldiers who had turned farmers. 5,433 soldier entries had been registered covering 869,000 acres of free lands. In addition, two-thirds of the claimants also used their

homestead rights as civilians, bringing the total area granted to returned soldiers to nearly 1,500,000 acres. By 1922, 27,000 soldiers were established on the land and government loans for equipment amounted to \$88,000,000. In spite of these liberal terms, many war veterans refused to become interested in the possibilities of the new West, and by 1922, 2352 who had tried their luck as farmers decided to abandon their holdings for more attractive, and perhaps more exciting occupations in the densely settled parts of the Dominion.

The latest figures, for 1926, show that 7500 soldiers, for one reason or another, abandoned their undertakings during the nearly nine years in which the plan has been in operation. During this period, over 30,000 ex-soldiers have benefited by the legislation described above. Some 20,000 received financial assistance, and 6500 received free grants of land. For the year 1925-1926, 17,281 settlers were expected to make repayments to the government. Of this number, 8439 met their obligations in full, 6920 made part payments and 4541 were able to make prepayments. Of the total of 30,846 returned soldiers established on the land by the end of 1925, through the work of the soldiers' settlement board, 24,342 received loans from the government totalling nearly \$106,000,000. About twenty-seven per cent of the settlers receiving loans either had abandoned their farming ventures, or had suffered foreclosures due to failure to meet payments. In the light of these statistics, it is apparent that in spite of many failures, the scheme has resulted in a greater measure of success than perhaps was anticipated, and the proportion of failures among the soldier-farmers is no greater than that among the general farming public. It may be said in conclusion that Canada made an honest and intelligent effort to deal with this general problem of soldiers' civil reestablishment. That it was only partially successful was no special fault of the government. The readjustment to civil life and to the ways of peace was not brought about in any of the belligerent nations without severe suffering and discontent in many sections of the population; Canada's record compares very favorably in this respect with that of other nations. In watching over the interests of the returned soldiers, and in giving forceful public expression to their demands, organizations like the Great War Veterans' Association continue to play an important rôle in the Dominion.

By 1920, the national public debt of Canada reached the staggering total of over two and a quarter billion dollars, or \$252 per capita, and the total was still rising at that time. In 1919, as has been pointed out, it was necessary to float a third "victory loan" of \$300,000,000 to pay off current debts and to meet the costs of demobilizing the military forces. As a result, the close of the war found practically all of Canada's debt funded in the form of bonds of varying dates of maturity. Naturally the public demanded a rapid scaling down of the war taxes as soon as the national emergency had subsided, but for the government this raised a very complicated problem. From some

*Estimate of  
success of  
soldier-farmers*

*Public debt*

quarters, particularly manufacturing centers, objection was raised to any reductions in the war tariff, other groups insisted upon the retention of the business profits taxes, while the government needed practically all of its revenue to stabilize Canadian exchange and to meet annual deficits incurred by the government-owned railroads.

*Tax revisions*

In 1919 and 1920, some reductions were made in war tariffs, but most war taxes, including the tax on incomes, were retained. The war tax on excess business profits was soon allowed to expire. The Government retained the excise and stamp taxes, raised the postal rates, and imposed a new one per cent general sales tax, but exempted many necessities from this tax. Slight tariff revisions were also made. By the spring of 1922, the Liberal party was back in power at Ottawa, with Prime Minister William Lyon Mackenzie King pledged to strict economy. The new budget consequently showed a reduction in government expenditures of nearly \$140,000,000, saved largely by cuts in the naval and air service, and it provided for moderate tariff reductions on some fifty articles. In the face of such economies, the national debt continued to mount, and now exceeded \$272 per capita. It was necessary to retain or increase such taxes as the sales tax, the tax on automobiles, confectionery products, beer, soft drinks, telegrams, gasoline, checks, and insurance.

*Budget of 1923*

The budget of 1923 also failed to show a net surplus, largely because of continuing deficits on the Canadian National Railways. Nevertheless, in this year further reductions of a moderate nature were made in the tariff, the British preference was increased and the discussion of reciprocity with the United States was seriously revived. Reductions in the tariff, however, were somewhat offset by new bounties for the copper and hemp industry. The sales tax, and taxes on cigarettes, wines, checks and other articles were further reduced, and a beginning was made on the huge task of refunding the war loans at lower rates of interest.

*Budget of 1924*

The year following brought further changes in the Dominion budget. The sales tax was reduced, and was removed entirely on supplies and machinery needed in agriculture, dairying, fishing, mining, fruit raising and the lumber industry. Exemptions under the income tax law were increased. At the same time, the tariff on agricultural implements was reduced, and raw materials used for the manufacture of these implements were put on the free list when it could be shown that they were imported for this specific use. The theory underlying these tariff changes was the desire to reduce the cost of the "instruments of production" in Canada's basic industries. The new tariff caused some discontent in the Liberal ranks, but it met with the approval of the western Progressives upon whose support King's Liberal Government had to depend if it wished to remain in office. The new budget was clear indication that the Government was "steering west" in the matter of tariff reform, and that the Liberals



were slowly returning to their traditional position as a party standing for freer trade.

The net public debt of the Dominion, on March 31, 1925, was \$2,417,437,685. For the fiscal year 1927, the estimated revenue from special war taxes still amounts to \$154,000,000, and the principal expenditures for the year attributable to the war reach a total of \$162,922,000. Thus, of the Dominion's total public expenditures to-day, (1927) almost a half is traceable to the war, and most of it goes to meet the interest on the public debt, which amounts to approximately \$140,000,000 annually. There has been some refunding of loans at lower rates of interest, and a beginning now has been made in applying balances to debt reduction.

*National debt  
in 1925*

The nationalization of most of the Canadian railroad systems greatly affected the progress of financial reconstruction, and in itself, constitutes a problem of the greatest magnitude for the future of the Dominion. By 1921, all the great Canadian roads, the Canadian Northern, the Grand Trunk, and the Grand Trunk Pacific, but not the Canadian Pacific, had been taken over by the government. The virtual collapse of the roads, under extraordinary war conditions, made nationalization inevitable as the only feasible solution of a badly tangled transportation situation. Prime Minister Borden, to be sure, had favored government ownership years before the war, and others had repeatedly suggested that many advantages would result from such centralized control. Nationalization promised improvements in service, the avoidance of duplication and waste, and ample funds for extensions into new and undeveloped sections, and with the exception of some of the capitalists of Quebec and Montreal, it probably had the support of a large part of the Canadian public. The capitalist interests, of course, stressed the dangers of paternalism and the huge costs of government ownership, but Canadian public opinion by the time of the Great War had reached the point where Governments found it increasingly difficult to justify a policy of aiding private railroad companies which were in distress with grants from the pocket of the tax-payer.

*C. N. R. and  
public debt*

The Canadian Railway Board, organized in 1918 to centralize control of the railroads, spent over \$70,000,000 in one year for new steel rails, freight cars, and locomotives, and issued numerous regulations to coördinate the service, settle labor troubles, save fuel, and make other improvements in the Canadian roads. In spite of economies and increases in railroad rates, most of the railroads continued to deteriorate, and even the Canadian Pacific, perhaps the finest railway system in the world, experienced a marked falling off in profits. Before the close of 1918, the Canadian Northern, which had been running a steady deficit, was united with the Intercolonial, the National Transcontinental, and some smaller roads to form the nucleus for the Canadian National Railways, representing a total mileage of 13,700 miles. The Grand Trunk and the Grand Trunk Pacific were soon

*Organization  
of C. N. R.*

added to this national system, increasing the government-owned mileage to 22,375 miles, or fifty-two per cent of the total railway mileage of the Dominion. The management of the nationalized roads was centered in a board, non-political and independent of party politics, under the able presidency of David Blyth Hanna.

*Economies*

Throughout the war and the years of reconstruction the government spent large sums in improvements and in constructing extensions. Ticket offices were consolidated, freight was rerouted over the most direct routes, and attempts were made to economize by more efficient use of the staff of employees, and by a general standardization of methods. Although freight and passenger rates were increased, and many economies introduced, the government railroads showed a most discouraging deficit for many years. In 1919 this deficit reached almost \$50,000,000, although much of this apparent loss was due to much-needed and long-delayed increases in wages for railroad workers. In 1920 the operating losses exceeded \$70,000,000, with the old Canadian Northern system showing the largest deficits. Costs of fuel and materials rose steadily, while the general deflation of business accompanying the passing of war orders and war profits, materially reduced the volume of traffic.

*Sir Henry  
Thornton*

In 1921, the popular clamor against the high cost of living made necessary a reduction in railroad rates, but this loss in revenue was somewhat offset by a reduction in wages. Statistics for the year showed a reduction in operating expenses, but the net deficit remained virtually unchanged. The year 1922 afforded the first encouragement for the Government and the people, who had now become somewhat disheartened by annual deficits. Largely because of an immense grain harvest, and in spite of further reductions in freight rates on grain and basic materials, the national roads showed substantial net revenues. In this year also, Sir Henry Thornton, a successful British railroad expert, was brought over, at a salary of \$65,000 per year, to assume general management of the Canadian National Railroads, and the consolidated lines were placed under a single board of railroads. Sir Henry Thornton was a graduate of the University of Pennsylvania, had served twenty years on the Pennsylvania Railroad in the United States, and brought to the Dominion an enviable record as a successful American railroad manager, as manager of the Great Eastern Railway in England, and as an important figure in the army transportation service during the Great War. Prime Minister King gave the new executive a free hand in his efforts to untangle the Canadian transportation problem, and promised to shield him from political interference, a promise which has, on the whole, been kept faithfully. In return, the new manager cheered the country by promising to show real profits within three years.

*Progress under  
government  
ownership*

Sir Henry Thornton established national headquarters for the Canadian system in Montreal, the city which also contains the main offices of the Canadian Pacific Railroad. Numerous changes were

made in the staff and in the regional divisions of the system. The first annual report under the new management showed an increase in net earnings and a decrease in the total deficit. In 1923 and 1924, new economies in management resulted in further reductions in operating costs, but the general business depression of these years, and the resultant decrease in freight traffic, in part attributable to the building of good roads and the competition of the automobile, caused further disappointments and net earnings did not reach the total predicted by the management. Sir Henry answered the critics who challenged his methods by insisting that he was not allowing the railroad properties of the Dominion to depreciate in order to show paper profits, and by welcoming careful scrutiny of the books by experts at any time. For the first time since it was taken over by the government, the net returns of the Canadian National Railways System, during the year 1926, were more than enough to pay all fixed charges due the Canadian public which holds securities totaling nearly a billion dollars, with an annual interest charge thereon of nearly \$40,000,000.

While the Canadian National Railways continued to show a deficit, the Canadian Pacific Railroad prospered and paid dividends. The C. P. R. continues to hold its popularity with the traveling public in Canada; it has assets of over a billion dollars, and continues to expand its investments in many directions. In making comparisons between this private road and the government-owned system, it must be borne in mind that the deficits of the national system are in a large measure attributable to the follies of the pre-war period, for which the present generation of Canadians is paying the bill. Canada has a railway mileage of approximately one mile for every 200 people, as compared with a ratio of one to 400 for the United States, and one for every 2000 in Great Britain. Canadian railway systems have been over-built, far in advance of the needs of the settled sections of the country.

In so far as the nation as a whole has benefited by this over-building through the opening of new areas and the consequent enhancement of the national resources, it is economically sound and justifiable to meet deficits created earlier by taxes on the present generation. Nevertheless, in the period of unregulated private control of railroad building, Canada passed through an orgy of stock-watering, inflation of book values, and other questionable methods of high finance which have added a tremendous load to Canada's present railroad burdens. The most flagrant cases of unethical conduct are associated with the Canadian Northern and the Grand Trunk Railway. The latter repeatedly paid unearned dividends on its preferred shares, it manipulated its bookkeeping to show paper profits, and paid out money in dividends which should have been spent for the maintenance and improvement of its property. The road was allowed to fall into

C. P. R.

*Observations  
on Canada's  
railroad history*



disrepair, and thus the burden which Canadian taxpayers subsequently had to assume was greatly increased.

*Case of  
Grand Trunk*

When the Dominion took over the Grand Trunk, an arbitration board, consisting of Chief Justice Taft of the United States Supreme Court representing the road, Sir Thomas White representing the government, and Judge Cassals chosen as an impartial chairman by the other two members, was appointed to appraise the value of the railroad system. This board, by a vote of two to one, decided that the common and preferred stock of the road was absolutely worthless, and their decision was later upheld by the British Privy Council. For years, the government steadfastly refused to give relief to the stockholders of the Grand Trunk on the ground that they had no just claim and that the government had not confiscated their property, but rather had come to the rescue of a bankrupt company.

*Proposed  
settlement*

It may be added that the company continued its unethical practices to the end. Some of its dividends actually had been paid from government subsidies, and before the close of business, nearly a half million dollars was voted out of its Fire Insurance Fund for salaries of officials and directors, the latter to be paid for five years in advance. In the fall of 1926, the president of the Canadian National Railways signed a settlement with the holders of the four per cent Grand Trunk Pacific stock, providing for the issue of new securities, to bear interest at two per cent per annum, and to be exchanged dollar for dollar for the old Grand Trunk Pacific stock, of which about \$35,000,000 is still outstanding. Under this arrangement, which will be submitted to the Dominion Parliament for ratification, most of the stockholders will receive par value for their holdings, and provision is made for the gradual redemption of their certificates over a period of years. In the light of the past financial history of the company, the settlement seems more than fair.

*Government  
system on trial*

Government ownership of the railroads in Canada is still on trial. The experiment in nationalization has been undertaken under the most difficult conditions and with great handicaps. Most of the nationalized roads are not profitable; those which paid dividends have been left in private hands. A large funded debt, and a burdensome annual interest budget have to be carried by the national system. In the face of these staggering obligations, there is much evidence that Canada is succeeding in the task of building a financially sound national system of railways. The annual deficits of 1920 and 1921 have been changed into a steadily mounting surplus, and the year 1926 showed net earnings for the Canadian National Railways totaling over \$46,000,000. The operating surplus of 1926 showed an increase of 43.81 per cent over the preceding year. Revenues have increased at a greater percentage than operating expenses, mileage has been extended, and coöperative management has been introduced in a number of the railroad shops. With a continuance of prosperity, the government-owned railroads may ultimately prove economically

profitable, as well as extremely serviceable in the development and settlement of the Dominion.

A number of Canadian municipalities and provinces also are engaged in great experiments in public ownership of hydro-electric power facilities and transportation systems. The municipally owned street railways of Toronto compare most favorably with the privately owned transportation lines elsewhere, whether in Canada or in the United States. The great hydro-electric project of Ontario originated at the beginning of the present century among a group of farseeing leaders who appreciated the value of Canada's great water-power facilities and deplored her dependence on coal shipped either from the United States or from the ends of the Dominion. A Hydro-Electric Commission was created in the province of Ontario with wide powers for the production and sale of electric power. Under the devoted and capable leadership of the late Sir Adam Beck, the commission developed into a great government corporation, owning power plants, building transformers, transmission lines, turbines and other necessary apparatus to generate electric power which is sold to municipalities. The latter then built the local distributing plants and delivered the current to the ultimate consumers. The commission, at the present time, furnishes power practically at cost, after allowance has been made for depreciation charges on the plant and for the retirement of its bonds, and the municipalities which retail the current to the user charge a rate approved by the commission.

*Other  
experiments  
in public  
ownership*

The Ontario hydro-electric project was well under way by the time the Great War began, and its service has been steadily expanded. Electric power rates have been greatly reduced, with the result that home owners and farmers have found it practicable to instal electric motors and other devices. The cost of electric power on the Canadian side of Niagara is but a fraction of what it is on the United States side, although the power is developed from the same source. By 1926, 470 Ontario municipalities served over seventy-eight per cent of the population with power secured through the Hydro-Electric Power Commission, and in the years since 1909, when the project was put before the people by Sir Adam Beck, over eighty municipalities have paid off their entire indebtedness incurred for the distribution of electric power. From 1909 to 1926, the savings of the people of Toronto have been estimated at anywhere from \$33,000,000 to \$69,000,000, and those for the province as a whole amounted to nearly three times the latter figure. In 1926, the "Hydro" had 8600 miles of transmission lines. Ontario has led the world in government ownership of power. It need hardly be added that Ontario's social and economic life has been largely made over by the "Hydro." Additions to the Canadian hydro-electric system are being made every year, some of them private enterprises and some public, and recent years have seen many new developments, especially in Quebec and British Columbia and in the maritime provinces.

*Ontario  
hydro-electric  
project*

*Hydro-electric  
power in West*

The Manitoba Hydro-Electric Commission was established in 1919. In Winnipeg, a city-owned electric light plant was opened in 1911, and its productive capacity now exceeds 100,000 horse-power. In 1922, it furnished current for electric heating at the rate of one cent per kilowatt hour. Recently, plans have been made, both in Canada and in the United States, to develop the great power possibilities of the St. Lawrence River as an international project, and negotiations between the two countries for this purpose have made some progress. In 1924, the water-power resources of the Dominion were estimated at over 18,000,000 horse-power under conditions of ordinary flow, with the possibility of increasing this productivity to over 32,000,000 horse-power. In 1924, the hydro-electric installation for the Dominion, much of it under government ownership and control, averaged 386 horse-power per thousand population, and represented a capital investment of \$767,000,000, which exceeds that of any other Canadian industry.

*Post-war  
deflation*

By the end of 1920, the deflation which was the inevitable aftermath of the war had set in in Canada with a vengeance. It was the necessary reaction following the extraordinary boom of the war years, and in Canada, as in other belligerent nations, it produced a severe strain on the whole industrial organization. The movement came gradually, and some attempt was made to control it through the coördinated action of the Canadian Bankers' Association, which inaugurated a uniform and gradual policy of contracting loans and tightening the money supply of the country in order to compel all varieties of industry to return to normal conditions. Nevertheless, prices began to fall, wages likewise, and there was a temporary but serious slump in production.

*Farmer's plight*

Deflation proved to be most severe in the agricultural industry, which had been enjoying extraordinarily favorable conditions as an essential war industry. As evidence of these good times, it may be pointed out that between 1914 and 1919 the farm acreage of Canada increased sixty per cent, and the value of field crops 127 per cent. In 1919, a government Wheat Board still marketed the total wheat crop of the Dominion at \$2.15 a bushel, distributed the surplus from these sales among the original producers, and prohibited speculating on the exchanges. Agriculture was at that time a specially favored industry and received many aids from the government. By 1920, the Wheat Board no longer functioned, and within two weeks, the price of wheat fell sixty cents per bushel. By 1921, when the deflation process was virtually ended in other industries, the Canadian farmer was still suffering severely.

*Relief  
legislation*

It was estimated that due to falling prices and a deflated market the Canadian farm crops of 1920 sold at \$80,000,000 less than those of the preceding year, and in 1921, the difference in value was \$500,000,000. The shrinkage was accompanied by a general decline in most wholesale prices, but this fall in prices was by no means



proportional to the losses of the farmer. The Government, in 1919, charged a select committee to investigate the whole question of price levels and secured the passage of a Combines and Fair Prices Act intended to stop profiteering and combinations in restraint of trade. The new law, administered by a Board of Commerce, required detailed reports from all important producers of necessities and provided penalties for unfair practices. The Board also was empowered to fix maximum prices in various localities by limiting profits in such industries as the packing, shoe and clothing businesses. The farmers, and many of the consuming public, denounced the law as a mere sham intended to protect the profiteering manufacturers by throwing sand in the eyes of the public. The farmers insisted that they were receiving but fifty per cent of the values they produced, while textile manufacturers and others continued to make profits ranging from seventy to three hundred per cent. The result of this economic discontent among the agricultural population was the stimulation of coöperative enterprises and the farmers' reëntury into the game of practical politics. These remedies had been tried before and during the war, but now they received a new emphasis.

Shortly after the close of the war, a number of western provinces authorized the establishment of government cold-storage plants, as a means of curbing the power of the meat packers. Coöperative organizations, including various groups of producers and consumers such as live-stock and sheep growers, grain growers, cheese-makers, and distributing and shipping associations, arose in all parts of the Dominion from the maritime provinces to British Columbia, wherever agricultural interests were strong. Saskatchewan authorized the formation of rural credits societies, and permitted these organizations to borrow money from the banks on the corporate security of their members. These funds could then be reloaned at low interest rates to individual members. Provincial and municipal governments often subscribed part of the stock in these new ventures in coöperative banking.

*Coöperative  
movement*

Grain Growers' Associations, formed as early as 1901, assumed new vitality in the years following the close of the war. Under the capable direction of men like W. R. Motherwell, minister of agriculture for a time in the Saskatchewan Government, the membership of the Grain Growers' Association of that province increased to over 33,000 in 1919, and similar organizations grew with equal speed in other provinces of the West. Grain Growers' newspapers were founded to fight the battle of the farmers against the railroads and the grain elevator combines. As early as 1910, as has been stated, the Grain Growers' Associations virtually had forced Laurier to champion reciprocity with the United States, and in the depression following the war, the farmers prepared for new assaults upon the Government.

*Grain growers*

The most successful examples of coöperation were the Saskatchewan Coöperative Elevator Company, the Alberta Farmers'

*Successful  
cooperatives*

Coöperative Elevator Company, and the Grain Growers' Grain Company, Ltd., the latter under the able direction of T. A. Crerar. The Grain Growers' Grain Company was especially successful for a time, and in the days of prosperity during the war steadily expanded its coöperative interests, paid substantial profits, and carried on much educational work among the rural population. In 1917, the Grain Growers' Grain Company amalgamated with the Alberta Farmers' Coöperative Elevator Company, under the name of the United Grain Growers' Ltd. Its authorized capital was \$5,000,000; by September 1918, its assets were nearly \$8,500,000, and it owned 206 grain elevators and leased 137 more, owned 223 flour warehouses and leased eight others, and also owned 181 coal sheds.

*U. F. O.*

In Ontario, the United Farmers entered politics with striking success, and in the provincial elections of 1919, nominated 68 of their members for the provincial legislature. On a platform pledging the removal of tariff barriers and prohibition, full of denunciations of the railroads and the manufacturers as the enemies of the farmers, they swept most of the older members of the provincial parliament from office, and organized a farmers' Government, under the premiership of E. C. Drury. The new prime minister, to give proof of his sincerity in advocating economy and retrenchment, at once reduced his salary. Much legislation of special interest to the farmer promptly was put upon the statute books of Ontario, including laws for rural credit societies, provincial savings institutions, good roads, a consolidated schools system, and reforestation. Before long, however, the United Farmers showed signs of internal dissension, their membership declined, provincial debts increased, and in the elections of 1923, Prime Minister Drury was driven from power, and the Conservatives resumed control of the Ontario government. A year later, the new administration uncovered frauds in the treasury department of the farmer Government, and a number of former officials were tried and convicted for theft and conspiracy.

*National  
farmers'  
platform*

In 1919, the first National Farmers' Platform was drafted to consolidate and coördinate the farmers' movement throughout the Dominion. It denounced imperialism and the protective tariff, favored drastic tariff reductions and reciprocity, attacked corporation methods, favored coöperation, and advocated public ownership of all important public utilities. In addition, the platform sponsored many governmental reforms designed to eliminate the power of the vested interests from Dominion affairs. Grain Growers' conventions were held in a number of the provinces to endorse this declaration of principles. By 1921, the farmers were organized sufficiently to claim a larger share of the seats in the law-making bodies of the Dominion, and early in 1920, they entered federal politics under the name of the National Progressive Party, a party which was officially born at Winnipeg. Crerar, who had resigned from the Unionist Cabinet in 1919, assumed active direction of the new party which was pledged

to carry out what it called the "New National Policy." Thus a new sectionalism had arisen in Dominion affairs, and the class consciousness of the western farmer became a vital factor in Canadian politics.

This seething among the discontented farmers was accompanied by a similar wave of discontent and class consciousness in the ranks of the industrial workers of the Dominion. The war had stimulated a great development in the iron and steel industry and in the production of chemicals, textiles, flour, paper and other products, and the industrial worker had benefited greatly by the steady rise in wages and by the general war prosperity. In the years of reconstruction, however, he began to complain of the rising cost of living and the steady cutting of wages; stimulated somewhat by the revolutionary ideas liberated everywhere by the war, the producer began to demand a new social order and a larger share of the wealth which his labor created.

*Industrial  
discontent*

By the fall of 1920, many Canadian factories were reducing their labor force, as well as wages and hours of employment. There were especially severe depressions in the milling industry, the sugar refineries and in shipbuilding, and the export trade of the Dominion slumped badly. Membership in labor unions began to decline, and fell from 378,047 in 1919 to 276,621 in 1922. This slump in the membership of trade organizations has not yet ceased, although it is gradually becoming less.

*Decline  
in union  
membership*

Labor disturbances, some of them of a very serious nature, accompanied the passing of the worker's prosperity. The "One Big Union" idea developed rapidly in the West, based on the desire to organize all workers by industries, regardless of trades or occupations, in a concerted effort to overthrow the capitalist system. The older craft organizations bitterly opposed this new departure in the labor movement, but often to no avail.

*"One Big  
Union"*

In 1919, a serious strike broke out in Winnipeg, led by R. B. Russell and William Ivens, the latter a Methodist minister. The strike, which began with the demand of the Winnipeg metal workers for the recognition of the right of collective bargaining, and a plea for an increase in wages, spread rapidly until it involved a general sympathetic strike of the building trades, firemen, police and many other employees. The Government's attempts to mediate collapsed over the issue of collective bargaining. By the middle of May, 1919, practically all industrial activities and many municipal functions stopped in Winnipeg, although the committee in charge of the strike ordered policemen, waterworks employees, bakers, and milk wagon drivers to continue their work. For a time, the city virtually was isolated from the outside world by the strike of telegraph and postal employees and all daily newspapers were forced to suspend publication. Needless to add, there was much excitement about alleged support from the Moscow communists; socialist literature was distributed, and rioting occurred in some localities.

*Winnipeg  
strike*



*Its collapse*

On June 17, the Winnipeg strike leaders were arrested, the city's Labor Temple was raided, and the Methodist Conference expelled the radical minister who had turned labor leader. The Department of Justice suppressed the *Western Labor News*, meetings and street parades were prohibited, and because of these drastic measures, the strike soon collapsed. Eight of the leaders were tried for sedition, and were found guilty by a judge and a jury who clearly reflected the hysteria of the time concerning all forms of radical thought. The trial was little short of a travesty on justice. Labor leaders who espoused nothing more radical than pacifism and the single tax were denounced by their enemies as "reds" in the pay of Moscow.

*Decline of  
radicalism in  
labor circles*

The trouble in Winnipeg was by far the most serious labor disturbance during the reconstruction period. The collapse of the movement proved a death blow to the industrial syndicalists who favored the "One Big Union," and, henceforth, most laborers were content to return to the methods of the older craft organizations. The Canadian Trades and Labor Congress, under the conservative and able leadership of its president, Tom Moore, denounced the general or sympathetic strike as a weapon of industrial warfare, repudiated all revolutionary tactics, and reaffirmed its faith in the traditional principles of the organized labor movement.

*Labor parties*

The Dominion Government, as a result of these evidences of radicalism in the ranks of the workers, secured the adoption of a measure permitting the deportation of anarchists and alien revolutionists. A national industrial conference was assembled at Ottawa to work out more harmonious relations between labor and capital, and a Royal Commission was constituted to make a general inquiry into industrial matters. In various parts of the Dominion, local labor parties made their appearance during these years, and advocated such measures as old age pensions, labor exchanges, banking and educational reforms, workers' representation in industrial management, and the fixing of rents by the Government. In 1921 the Canadian Labor Party was organized.

*Other strikes*

By 1923 employment statistics were more encouraging, although membership in the organized labor movement was still declining. There were ninety-one strikes in 1923, six more than in the preceding twelve months, but they were of a less serious nature, and there was every reason to believe that the radical wing of the labor movement had been definitely defeated. The most important strike of the year was that at Sydney, Nova Scotia, among the employees of the Dominion Iron and Steel Company, one of Canada's largest combinations. Although wage demands were involved, the fundamental issue was the recognition of the union. The strike spread with the intervention of the militia, but it was lost by the workers in the fall of 1923. Nevertheless, an investigating commission appointed by the Dominion Government virtually sustained the strikers in their demands. In 1924, a Dominion act provided that the militia could be called out to

quell local disturbances only on the request of the provincial attorney-general, and then at the expense of the province. In 1925, as has been pointed out, the labor legislation of the Dominion received a severe shock when the British Privy Council declared the Industrial Disputes Investigation Act *ultra vires*.

Intimately connected with the problems of labor and industry was the question of immigration. During the war, the arrival of immigrants in Canada virtually ceased, but at the close of 1918 there were indications that many Europeans were planning to move to America to escape the taxation and other burdens which the World War had fastened upon their countries. Some thoughtful Canadians expressed alarm that the national stock of the Dominion might suffer from too lenient an immigration policy. Canada's attitude toward immigration after the war may be characterized, in the words of the *Toronto Globe*, as "an open door, with a firm hand on the knob."

*Immigration  
since war*

Unquestionably, the Dominion needed more people to develop her public lands. The census of 1921 fixed the total population at 8,788,483, but when the natural increase of the native population is taken into account for the preceding ten years, fully 1,750,000 were left unaccounted for. It was clear from these statistics that many Europeans had returned to their native lands after the war, but most of the disappointment was due to another heavy exodus to the United States. Just how heavy this was, it is difficult to determine, for the statistics of the United States seldom agree with those of the Dominion. Because the Dominion's population averaged but 2.43 persons to the square mile, there was a renewed demand for an intelligent and selective immigration propaganda to bring in desirable settlers. Opposition to the plans for encouraging immigration was confined largely to the Great War Veterans' Association, to organized labor, which feared a lowering of wage standards, and to "one hundred per cent Canadians" who distrusted the "hyphenated" citizen.

*Present-day  
policy*

In 1919, a literacy test was tried as a basis of selection, and the government undertook specially to promote the immigration of farm hands. On the other hand, attempts were made to discourage the coming of industrial workers, at least until the distress of unemployment had passed. Government regulations were issued admitting only bona fide farmers and farm hands, domestics reasonably sure of employment, and Britishers and Americans for whose labor there was a real demand. The British Parliament, to cope with the unemployment situation in the mother-country, enacted the Empire Settlements Act which was designed to turn the stream of immigration into the dependencies, but effective coöperation with the Dominion was greatly complicated by the fact that Canada wanted farmers while England wished to export her surplus discontented industrial workers.

*Literacy test*

The Canadian immigration office at Paris was reopened, and new offices were established in Warsaw, Danzig, Bucharest and at other

*Immigration  
propaganda*

European points. In 1923, 137,320 immigrants came to Canada, equaling about one-third of the total arrivals of the last year preceding the war. The 1923 budget carried additional appropriations to encourage the immigration of children and domestic servants from Great Britain, to enable British settlers to bring their families, and to aid private colonization associations which were carrying on an immigration propaganda. The Canadian Pacific Railroad sold 180-acre farms and loaned \$2000 on easy terms to prospective settlers coming to the Canadian West, while practically all the railroads offered reduced rates to British farm hands employed to harvest the crops, undoubtedly hoping to retain many of the newcomers as permanent settlers. Many provinces likewise gave encouragement to immigrants. Although immigration slowly revived after the war, nothing like the expected after-the-war rush occurred, and the Canadian exodus to the United States continued for a number of years in discouraging proportions. For the calendar year 1926, immigration to Canada reached a total of 135,984, an increase of sixty per cent over the preceding year. What seemed still more encouraging was the fact that in the ten months preceding February 1, 1927, over 50,000 Canadians returned to the Dominion from the United States.

*Progress of  
woman's  
suffrage*

The woman's suffrage movement which made rapid progress during the war through provincial enactment, and received partial recognition in the federal War Times Election Act, achieved its final triumph in the Dominion Franchise Bill of 1920, establishing a uniform suffrage in federal elections for all British citizens male or female who were twenty-one years of age, and had lived in Canada for one year and for two months in the constituency in which they voted. As late as 1927, however, a bill to give women the vote in provincial elections was decisively defeated in the Legislative Assembly of Quebec.

*Progress of  
prohibition*

Prohibition in Canada, another by-product of the war years, proved to be a less stable policy. The origins of the prohibition movement go back for several generations in Canadian history; interest in this movement originally spread from the United States into Canada. Since the war the matter of prohibition enforcement has become the great international problem of these neighbor nations. In 1915, Manitoba banished the saloon, but permitted the use of liquor in the home. Saskatchewan and Alberta voted "bone dry" in 1916, and soon British Columbia, Ontario and the maritime provinces adopted laws similar to the legislation in the prairie provinces. Even Quebec, during the last year of the war, largely as a patriotic measure to conserve grain, resolved to adopt prohibition the following year for the remainder of the war. When the war ceased earlier than had been expected, the "wets," in a popular referendum, won a decisive victory in the old French province and that region became the outstanding exception among the provinces in the matter of banishing the liquor



trade. Federal orders-in-council and federal legislation authorized individual provinces to prohibit the importation of liquor within their borders. As a war measure, the manufacture of liquor had been prohibited altogether in order to conserve grain.

The prohibition wave apparently reached its crest in Canada by 1921. Although the consumption of liquor was curtailed or prohibited in most of the Canadian provinces, Canadian manufacturers of liquor were permitted to continue the production of their products for consumption in the United States, and these interests found a steady sale for their output in the rapidly expanding market across the border, owing to the passage of the stringent "dry" Volstead Act by the United States Congress.

*High tide of prohibition*

The "dry" Canadian provinces soon began to suffer from the advent of the "bootlegger" and the "blind pig" and other agencies for evading the prohibition laws. Canadian brewers and distillers consigned huge shipments of liquor to Cuba and Mexico, and much of the cargoes of the Great Lakes boats engaged in this traffic was diverted clandestinely to the United States. This rum traffic quickly led to wholesale smuggling and corruption in the revenue service of both countries along the international border.

*International problem*

By 1924, a great reaction against prohibition had set in in the western provinces and elsewhere, and by that time six of the nine provinces permitted the sale of liquors under a system of government monopoly and on licensed premises. The system prevailing in Quebec is the one most frequently referred to, especially in the United States, and may therefore be discussed a little more in detail. In Quebec, the sale of spirituous liquors is conducted under a "cash and carry" system, in ninety government stores, "a bottle at a time." The last provision may easily be evaded, however, by returning for additional bottles to the same store, or by stopping at another government dispensary. Beer is obtainable by the glass and is supplied direct from the breweries, with no limit on the quantity obtainable. Beers and wines are sold in hotels and restaurants licensed to carry on this business. The whole system in Quebec is controlled by a provincial Liquor Commission, which fixes prices for all liquor, and sees to it that it is analyzed and properly labelled in order to insure the best products at a fair price. The old time saloon has been abolished altogether. Complaints are still heard about bootlegging, but according to the report of the Quebec Liquor Commission, most of the trouble is attributable to the sale of alcoholic drinks in bulk from the United States.

*Decline of prohibition*

Only three provinces are still experimenting with the attempt to prohibit the sale and manufacture of liquor altogether. Ontario began with a rigid prohibition law, but in 1925, the alcoholic content of "near beer" was raised from two to four and four-tenths per cent. In December, 1926, the Conservative Government of the province was returned to power on the issue of permitting liquor sales in Ontario un-

*Ontario*

der a system of government control much like that prevailing in Quebec and in some of the western provinces. The Government has promised the abolition of the sale of liquor by doctor's prescriptions, and is pledged not to restore the saloon. As evidence of his honest intentions, Prime Minister Ferguson of Ontario appointed D. B. Hanna, former general manager of the Canadian National Railways, and a man enjoying the respect of all his fellow citizens, to head the liquor commission which will have the difficult task of inaugurating the new program of government control. In June, 1927, the voters of Manitoba endorsed a modification of their "cash and carry" plan, permitting the sale of beer by the glass, but retaining the system of government control and monopoly.

*Rum-running*

Needless to add, the successes or failures of prohibition legislation are as much the subjects of violent debate in Canada as they are in the United States or anywhere else where this kind of legislation has been attempted. It has proved almost impossible to eliminate the fraudulent traffic in liquor along the Canada-United States border, and efforts are now under way to perfect an international agreement to stop illicit rum-running and border outrages which have become a disgrace to both countries.

*Educational progress*

The years of reconstruction following 1918 have left their mark indelibly on all the institutions of the Dominion, and have affected its social history in directions too numerous to discuss adequately in the space available. The trend in education, particularly in the public schools, has been strongly toward vocational training in these recent years, and a greater emphasis is being placed on what is immediately practical rather than on the older cultural training. Much progress has been made in the field of applied science. Simultaneously, and independently of each other's researches, Dr. F. G. Banting and Dr. J. J. Macleod, both of the University of Toronto, have made perhaps the greatest contribution ever made by Canadians to the world's scientific knowledge, in the discovery of insulin for the treatment of diabetes.

*Journalism*

Canadian universities have been growing rapidly since the war, and a number of them have received aid from the Rockefeller and Carnegie Foundations of the United States. In the Canadian newspaper world, recent years have witnessed a steady consolidation of newspapers with the decline and gradual disappearance of smaller journals of opinion and the rise of great corporations which sometimes dictate the editorial policy their writers must follow. Since 1917, great efforts have been made to organize and develop a Canadian Press Association, so that Canada might be free from the control of her news service by agencies whose headquarters are in the United States.

*Women's clubs*

Because of the equal suffrage movement, women have made their entry into politics as office-holders as well as influential voters whose support must be courted. In 1921, women held places in the provincial cabinets of Alberta and British Columbia. Agnes MacPhail, repre-

sending an Ontario constituency, was the first woman to win a seat in the Dominion Parliament. Women's economic emancipation is progressing steadily, and the war opened many new opportunities of employment for women. The census of 1921 revealed that there were fully one-fourth as many women employed in Canadian industries as men. Women's clubs of all varieties continue to be active in public affairs and many of them have been federated into the National Council of Women. Besides an interest in social, industrial and civic problems, in public health and in education, many women's clubs are actively carrying on a program of patriotic education, particularly among newly arrived immigrants. Much of this work is strongly colored by efforts toward "Canadization," which means, in part, the emancipation of Canadian national life from influences coming from the United States.

In the wake of the disruptive forces liberated by the Great War everywhere, Canada, like the United States, experienced a serious "crime wave," although the Canadian system of criminal justice is generally recognized as greatly superior to that in the states of the American republic. In some of the churches, a new interest has been manifested in a gospel of social service, and in efforts to make honest, practical applications of the principles of Christianity to modern industrial and international problems, but religious reforms of this nature, in Canada as in the United States, often encounter opposition from groups who for one reason or another believe that the church has no right to concern itself with business or political affairs. Moreover, much of the energy of the churches has been sapped by the theological battles between "Fundamentalists" and "Modernists." A number of churches have developed great social centers, and for a brief period, the labor churches in Manitoba promised to inaugurate a new era in religious organization.

The census of 1921 showed an increase of approximately half a million church members during the last decade, and a slight proportional decrease during the last twenty years in the ratio of Catholics to Protestants. The movement toward church union has made some progress among the various Protestant denominations, and on June 10, 1925, the United Church of Canada was established by a merger of Congregationalists, Methodists and Presbyterians. However, some of the members of the denominations concerned refused to submerge their denominational identity in this larger body. This great consolidation of 1925 involves a total of 9483 congregations and church property valued at over \$100,000,000. The union is the culmination of the efforts of leaders of these three denominations running back for almost half a century. A composite creed has been worked out for the new church. Of the dissenting congregations who refused to participate in the merger, the Presbyterians are by far the most numerous. Nearly 800 Presbyterian congregations with 500,000 members prefer to carry on their separate existence as "continuing"

*"Crime wave"  
and social  
gospel*

*United Church  
of Canada*



Presbyterians. What the future holds for this experiment in reconciling and extinguishing denominational differences it is too early to say.

*Economic  
stability*

In spite of the turbulence and the unrest of these reconstruction years, it may be said with truth that the average Canadian today faces the future with optimism and with a real faith in the destiny of his country. Economically, Canada seems to have returned to sound foundations. Her export trade during the last two years has increased by leaps and bounds, and shows a very favorable trade balance. The average Canadian finds much satisfaction in the fact that Canada with a population of 10,000,000 has developed a volume of export trade which in money value is as large as that of the United States was when the latter had a population of 70,000,000.

*New prosperity*

Efforts are being made to open up the northern parts of the provinces to settlement, and these efforts have met with much success, particularly in the development of northern Ontario and Quebec, regions especially valuable for mineral deposits and magnificent lumber tracts. Canada today leads the world in newsprint production. Commissions of conservation are at work to preserve and develop the marvelous water-power in these new sections. The good roads movement is spreading, and it has been estimated that the total expenditures on Canadian highways for 1927 will reach \$35,000,000. Trade statistics for agricultural products show a remarkable revival in this basic industry also. Canada is now, in a real sense, the granary of the world. In the crop year of 1925-1926, of the total of 488,000,000 bushels of wheat shipments from all the world-exporting countries, Canada alone exported 259,000,000 bushels. The value of this agricultural production has been estimated at one billion and a half dollars. In the face of these staggering totals, it should be added that in 1924, Canada turned out manufactured goods worth nearly twice as much as her agricultural products. The volume of industrial production in 1926 was twenty per cent greater than in 1925 and employment in that year reached its highest level since 1920. The number and the violence of industrial disputes have been decreasing rapidly, and most recent labor troubles have been confined to a few industries such as the mining and clothing business. Banking capital seems plentiful for purposes of industrial and commercial expansion, and most of Canada's national debt is held by her own people. There seems to be no indication at present that this prosperity will not endure for a considerable period of years. The one great and immediate need of the Dominion is a larger population to develop her still comparatively untouched resources and opportunities.

*Labrador  
boundary  
dispute*

Early in 1927, the map of the Dominion of Canada assumed what will probably be its final delineation when the long-standing boundary dispute between Canada and the self-governing dependency of Newfoundland over the ownership of the Labrador coast was settled by a decision of the British Privy Council. This controversy had been the subject of litigation for many years, and its settlement necessitates

a redrawing of the maps of Canada at the eastern extremity of Quebec. By the award, the ancient British colony of Newfoundland will be three times its former area.

Newfoundland, only 1640 miles from the Irish coast, was known to British fishermen long before Virginia was colonized, and Labrador from these earliest times was its dependency. The history of the codfish fisheries is to a large extent the history of Newfoundland, as it is also the clue to most of Newfoundland's international relations from earliest days to the latest controversies with the United States and French fishing interests over the right to catch and dry fish off the Newfoundland Grand Banks. From a colony of British fishermen, Newfoundland and its dependency, Labrador, which was formally annexed in 1763, grew until in 1917 it boasted of a population of over 250,000. During the seventeenth century, the island was under the administration of the "fishing admirals" who arrived each year to ply their trade; they furnished what little government was necessary to keep order among the fisher folk. For a long time, it was the policy of the British authorities to discourage settlement on the island. Newfoundland suffered from the intense Anglo-French rivalries over North America until the peace of Utrecht of 1713.

*Newfoundland  
—early history*

In the nineteenth century, the inhabitants of Newfoundland began to agitate for local self-government, and in 1832, a representative assembly was added to the usual colonial type of government consisting of governor and council for the better administration of affairs in the colony. In 1855, responsible government was granted after a series of controversies which in many respects resembled the struggle for responsible government in the Canadian provinces. At the time of confederation, Newfoundland refused to enter the new Dominion, largely because she believed her economic interests and her basic industry, fishing, would be jeopardized by absorption in the new federation. To this decision, Newfoundland has steadily adhered, and only in the 1890's, when the colony was suffering from unusual economic distress, was there a revival of confederation sentiment. Much of the political and constitutional history of Newfoundland in the last two generations has rather closely paralleled the trend of events in the Canadian provinces.

*Progress in  
nineteenth  
century*

As a result of the boundary settlement of 1927 Newfoundland won practically all its claims in the dispute respecting the Labrador-Canadian boundary. Canada insisted that Newfoundland had title only to a narrow strip of coast, but the decision of the Privy Council, based on documents running as far back as 1763, gave Newfoundland possession of an area of 111,300 square miles. This region includes some 60,000 square miles of spruce forest, valued at a quarter of a billion dollars, and probably the Grand Falls cataract, which is larger than Niagara and has tremendous hydro-electric possibilities, estimated at several million horse-power, or half the total available in the whole province of Quebec.

*Boundary  
settlement  
of 1927*

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## CHAPTER XXX

### EQUAL STATUS IN THE EMPIRE

A CANADIAN PRESS correspondent, reporting the last imperial conference, cabled the following story to Canadian papers in November, 1926: "While molten metal was being poured at Croydon, England, for one of the great bells of the carillon to be erected in the House of Commons tower at Ottawa, and to be rung for the first time to proclaim the diamond jubilee of Canadian confederation, the prime minister, Mackenzie King, cast in a Canadian cent, coined during the Laurier régime. Apparently as an afterthought, as he watched the Canadian cent disappear in the molten mass, the prime minister took an English halfpenny from his pocket, and tossed it in also, uttering the significant words, 'Equal status.'" Whether or not the incident actually occurred as described, it is symbolic of Canada's new place in the British Commonwealth of Nations, and a truthful comment on the latest developments in British imperial policies. A full understanding of Canada's new status calls for some reference to the gradual evolution of Canadian autonomy, not only in the field of domestic affairs, but in the conduct of foreign relations as well.

The slow but steady growth of Canadian nationality has been noted in earlier chapters. Since 1867 this development has been particularly rapid. Under Laurier the last British garrisons left Canadian territory, and the Canadian navy and militia passed entirely under Dominion control. Since 1879 Canada has virtually enjoyed diplomatic representation in England in the person of its High Commissioner. Twenty years earlier, the Canadian provinces had begun to claim autonomy in the matter of tariff legislation, and the adoption of the "National Policy" under Macdonald involved some prohibitive duties on British goods which could be produced in Canada. After 1877, the Dominion was not bound by British commercial treaties unless she desired to adhere to them; this commercial autonomy was specifically reaffirmed in 1907. In 1899, the Dominion obtained the right of "separate withdrawal as well as separate adherence" in the negotiations of new commercial treaties. In the light of future developments it is interesting to note that as a general rule during the preliminary negotiations of a treaty, the Canadian plenipotentiaries were associated with the British representative at the foreign court concerned and signed with them,

*"Equal status"*

*Evolution of  
Canadian  
nationality*

and only once during these years was the principle relaxed in the former connection, but never in connection with the signature. In addition, strict or less strict though the procedure may have been, the rule that the British government's approval was necessary for any treaty was maintained without deviation.

For more than a generation before the outbreak of the Great War, the principle of appointing Canadians on imperial commissions or to serve as plenipotentiaries for the Empire was followed whenever Canada needed or desired separate trade agreements with foreign powers. In 1883, the signing by Canadians in their own right of the protocol issuing from an international cable conference at Paris augured further developments in autonomous treaty-making powers. The creation of a Canadian department of external affairs in 1909 constituted still another step toward diplomatic autonomy, as well as a further strain on the position of the governor-general, who traditionally, was the only connecting link between the mother-country and the self-governing dependency. Before the war of 1914, it was clearly understood that Canadian participation in, or contribution to, imperial wars depended on the free and unhampered action of the Dominion Parliament, and Canada entered the Great War of her own volition, in the sense that Great Britain made no "demands" of any kind for her aid.

The war of 1914 demonstrated in a striking way the marvelous unity of the British Empire, but it also forced a redefinition of imperial relations and precipitated a careful examination into the status of the so-called dependencies, both from the standpoint of constitutional law and of international law. During the war, Great Britain was forced to recognize the fact that the British Empire had really become a Commonwealth of Nations, and that at least in times of emergency it was quite as likely to have imperial destinies decided by the outlying dominions as to have policies formulated and carried out by Downing Street. Statesmen in all the dominions gave much attention to the discussion of their anomalous position in the Empire, and boldly expressed a variety of new theories about the nature of the imperial bond and the future of the British Empire. Lord Milner, in England, spoke of "partner nations," "not yet indeed of equal power but for good and all of equal status," and shortly after the war, General Jan Smuts, the able spokesman of the South African Union, announced that "the British Empire as it existed before the war has in fact ceased to exist as a result of the war," declared that the independence of the dominions was an accomplished fact and that he was opposed to any closer union among the members of the British Empire. As on earlier occasions, Canada played an important rôle in defining this new status of the self-governing nations of the Empire.

In 1917, Prime Minister Borden participated in an imperial conference on war policies in London and at that time he was invited

*Autonomy  
in foreign  
affairs*

*Great War  
and Empire*

to attend the meetings of the imperial war cabinet, in which the leaders of the self-governing dominions sat on equal terms with the members of the British war cabinet. This arrangement clearly foreshadowed the dawning of a new era in imperial relations, in which the Empire would become a commonwealth of nations. Moreover, when Sir Robert Borden reported the results of his London visit to the Canadian Parliament, he was reasonably sure, in his own mind at least, that henceforth the dominions would be consulted in advance on all questions of war and peace. The war inaugurated the practice of almost constant communication and consultation on important questions between the prime ministers of the dominions and the British prime minister, and in all these exchanges, the equal status of the dominions never was challenged. The older idea of a closer imperial parliamentary federation now gave way to the new conception of a coöperative commonwealth of free and equal nations. As early as 1917, Sir Robert Borden used the phrase "autonomous nations of an Imperial Commonwealth."

*Canadian participation in imperial war councils*

The peace negotiations following the armistice of November, 1918, produced a treaty of some eighty thousand words in length. In spite of idealistic professions about a "peace of justice," "a peace without victory," and a peace which "would make the world safe for democracy"—phrases with which President Wilson had captured the support of people everywhere for the war, and which the Allies endorsed, at least in spirit—the Treaty of Versailles was a document imposed by the victors upon the vanquished. The American President, and liberals everywhere, took comfort, however, in the thought that the Covenant for the League of Nations was an integral part of the treaty, and that from this new piece of international machinery might come the gradual modification of the treaty itself.

*Peace negotiations*

During the long negotiations at Versailles, Sir Robert Borden had ample opportunity to insist on Canada's rights as an autonomous nation. His policy may be summarized briefly. In the first place, he maintained that the Dominion had a just claim to the same representation accorded to Belgium and to other smaller nations at the peace conference. Secondly, Canada demanded that some of the British Empire delegates to the conference at Versailles be selected from a panel of the prime ministers of the various dominions. As eventually constituted, two Canadians served as members of the British delegation, and Prime Minister Borden, Arthur L. Sifton, Sir George Foster and Charles J. Doherty alternated in that capacity.

*Canada at Versailles*

The "open diplomacy" so passionately avowed by the opponents of Germany during the war, soon disappeared during the conferences at Versailles, and the treaty was made in an atmosphere of intrigue and secret treaties probably surpassing that of any other European peace conference. The actual work of making the treaty devolved upon a Council of Ten, and finally upon the "Big Four," consisting of the American President, Prime Minister Lloyd George of Great

*Formulating treaty*



Britain, M. Clemenceau of France, and Prime Minister Orlando of Italy. These four men, behind closed doors and after serious wrangling among themselves, drew the new map of Europe and shaped the destinies of a new generation.

*Canada's rôle*

Under these conditions, the rôle of the Canadian delegates could hardly be a conspicuous one. Sir Robert Borden made a valiant but unsuccessful effort at Paris to conciliate the hostile factions which claimed to represent Russia; he also served on the committee on Greek boundaries whose chief function was to deal with the extravagant claims for territorial aggrandizement advanced by the pan-Greeks. On several occasions Sir Robert Borden presided over meetings of the British delegation, Canadians were represented on numerous commissions, and the Canadian prime minister was personally much interested in the discussions of the League of Nations Covenant. But the drafting of that document was largely the work of Jan Smuts of South Africa, Lord Robert Cecil of England and President Wilson of the United States.

*Canada in  
League of  
Nations*

Canada, together with the other dominions, received separate representation in the Assembly of the League, and also secured at least tacit consent to her technical right to be chosen to a seat in the League of Nations Council, the real administrative power of the organization.\* Canada likewise was allotted individual membership in the International Labor Conference, an organization designed to work out a new, world-wide agreement on labor issues. This recognition of Canada's nationhood led to much opposition, particularly in the United States, where opponents of the League of Nations claimed that the British Empire, by the representation accorded her dominions, virtually had six votes in the Assembly while the United States, if she entered the League, would have but one. This contention appealed to that latent hostility to John Bull in certain classes of the American population which finds expression in the occasional twisting of the tail of the British lion. The argument assumed, moreover, that the dominions always would support the mother-country, a proposition which is not always true, and it also ignored the fact that the United States, by means of its protectorates and "dollar diplomacy" in the lesser American states, could easily control additional votes in the Assembly.

*Separate  
ratification*

All the Canadian delegates signed the Treaty of Versailles, and a Canadian representative also signed the Austrian Treaty of St. Germain. The treaties having been duly signed by the delegates, Canada insisted that they could not become operative, so far as the Dominion was concerned, until ratified by the Canadian Parliament. Indeed, the Dominion government insisted that separate ratification was necessary before the British King's signature could be affixed to the documents.

\* In 1927, the Dominion was elected to one of the non-permanent seats on the Council.

The debates on Canadian ratification of the Versailles treaty began in the fall of 1919, and were exceedingly illuminating. Many Canadians, including the prime minister, objected to certain provisions of the League Covenant, and particularly to Article X, which President Wilson called "the heart of the covenant," and Rodolphe Lemieux, a distinguished French-Canadian leader, "the teeth." This article, so much discussed in both Canada and the United States, sought to guarantee the political independence and the territorial integrity of the European nations against external aggression. Many people believed it would involve Canada in future wars and bind her to uphold with arms many of the dangerous territorial settlements contained in the treaty. A Liberal member of Parliament denounced Article X as a device which put Canadians at the "beck and call of a Council not responsible to the nation for its actions," and he added, "by one stroke of the pen we are mortgaging our freedom."

*Debates over  
ratification*

Criticism of this kind was met by the argument that all active participation in European affairs still would depend on the action of the Canadian Parliament as it did before the League of Nations came into existence. Some Liberals criticized the Government for seeking and accepting separate representation in the League, on the ground that Canadian independence thereby was placed in jeopardy. A few objected to the treaty as a whole because it was based on revenge and was too severe, and instead of ending wars, contained within itself the germs for a score of new European conflicts. The treaty was finally ratified by the Canadian Parliament, and on October 10, 1919, was approved formally by the British King. The legal fiction that ratification was by "His Majesty on the advice of the Government of Canada" thus was carefully observed.

*Objections to  
peace terms*

There were other evidences of Canada's disposition to insist upon "equality of nationhood" before the close of 1919, although most statements of this new point of view were rather confused because of the anomalous position in which the Dominion found itself. There was some advocacy of an imperial conference to clear up the situation and to work out in detail the meaning of the new imperial relationship, but many Canadians of all parties objected to such an arrangement because it might result in great changes in the Canadian constitution, involving too many obligations for Canada.

*Canada's  
anomalous  
position*

The western farmers, now becoming politically articulate, were strongly opposed to all forms of centralized, imperial control which might bind the Dominion in matters of international policy. An opinion of the Privy Council in 1919, declaring the Manitoba initiative and referendum law *ultra vires* revived the agitation to end the appellate jurisdiction of the Judiciary Committee of the Privy Council in Canadian cases. As further evidence of the new spirit of nationality, the Canadian Parliament voted an address to the King asking that no more titles be granted to Canadians except on the specific advice of the Canadian prime minister and for professional distinction only. It was

*Attitude toward  
imperial  
relations*

during these years also that Canada raised the question of a special Canadian minister to be accredited to the United States government. Some of the Quebec Nationalists continued to talk vaguely of Canadian independence. As late as 1918, a resolution for secession was introduced in the Quebec Legislative Assembly, but it never came to a vote. The visits of Admiral Lord Jellicoe and the popular Prince of Wales in 1919 were probably calculated to counteract some of these tendencies and to stimulate interest in a closer imperial connection.

*Canada at  
international  
conferences*

At the first meeting of the League of Nations Assembly, Canada was represented by Sir George Foster, C. J. Doherty and N. W. Rowell. The protocol establishing a World Court for the peaceful adjudication of international difficulties was ratified by the Dominion Parliament in 1921. At the imperial conference held in London in the same year, no progress was made, however, toward defining the new constitutional relations of the Dominion with the mother-country. Arthur Meighen, by that time the prime minister of Canada, went to London determined to oppose the renewal of the Anglo-Japanese alliance which was alarming the United States and arousing opposition in British Columbia. Largely because of the discussion of British affairs in the Pacific at this conference, Great Britain agreed to support the United States in calling a great disarmament conference to meet later in Washington. At this disarmament conference, Sir Robert Borden served as a member of the British delegation, and the various treaties resulting from these discussions again were signed individually by Canada's representative, and then were ratified by the Canadian Parliament. An Anglo-Russian agreement of March 16, 1921, became binding upon Canada only after prolonged diplomatic discussions between the Dominion and the mother-country. Moreover, the recognition of the Russian Soviet Republic by Prime Minister Ramsay Macdonald of Great Britain did not affect the policy of Canada. Formal recognition of the soviet government by the Dominion came about only through a communication of the Canadian prime minister to the Russian trade commissioner at Montreal in March, 1924. It is interesting, however, to add that when Great Britain in 1927 abrogated its trade agreement with Russia, Canada took similar action almost immediately. In 1921, Canada was awarded four and thirty-five hundredths per cent of the reparations which Great Britain might be able to collect from vanquished Germany.

*Recognition  
of Canadian  
nationhood*

In 1922, Canada received further recognition of her new international status by being invited by Italy to send representatives to the Genoa Conference to deal with Europe's economic troubles. The Dominion sent two delegates with full power to sign any treaties which might be drafted. Canadian delegates also participated in the 1922 International Labor Conference, and in the League Assembly meeting of that year they tried in vain to get Article X of the Covenant either deleted or revised. A Canadian was appointed to the commission charged with the supervision of the Saar Basin, a valuable piece of



German territory temporarily under the control of a commission of the League in conformity with one of the most complicated stipulations of the peace treaty. A new crisis soon arose in Near-Eastern affairs, due to the troubles between Greek and Turkish Nationalists, and for a time this disturbance threatened the peace of Europe. England went so far as to ask Canada if she desired to send military forces to help in the settlement of the crisis should armed intervention become necessary. The Canadian prime minister replied with a request for more detailed information and indicated that he could do nothing without the specific sanction of Parliament, which was not then in session. The incident revived the whole discussion of the value of the imperial connection and the magnitude of Canada's obligations, but fortunately the Near-Eastern crisis passed without serious difficulty.

A Postal Conference between the United States and Canada was held in 1922, and in the same year, Prime Minister King, the newly chosen leader of the Liberals who had recently been returned to power, went to Washington to discuss a waterways treaty, the problem of prohibition enforcement, and the development of the St. Lawrence River route as an international waterway and a source of electric energy. In the case of this conference, however, the appointment with the American secretary of state was arranged through the British Ambassador at Washington.

*Negotiations  
with  
United States*

In 1923 a convention was signed between Great Britain and the United States for the preservation of the halibut fisheries in the northern Pacific Ocean by prohibiting fishing in Alaska during the spawning season. The negotiations, while legally between the United States and Great Britain, again revealed the curious legal fictions necessary to reconcile the Dominion's autonomous powers with her theoretical status in international law. Canada's minister of marine and fisheries was designated as His Majesty's plenipotentiary in these negotiations, and the convention was signed by him alone, after he had strenuously opposed the addition of the signature of the British Ambassador to the document. Moreover, during the negotiations Canada insisted on using the words "Dominion of Canada" instead of "Great Britain" in the treaty, and it eventually was found necessary to find other wording to get around this difference of opinion. Finally, the United States Senate refused for a time to accept the convention without inserting an amendment extending its provisions to nationals and vessels of "any other part of Great Britain." To this change Canada stubbornly refused to accede, on the ground that such an amendment would make it necessary to submit the convention to the whole British Empire for acceptance by the various parliaments. At the Imperial Conference of 1923, it was formally agreed that any part of the Empire might negotiate and sign alone treaties affecting only itself, but if other parts of the Empire were affected by such agreements they must be consulted in advance.

*Halibut  
fisheries treaty*

*Canadian  
President  
of League  
Assembly*

The Dominion of Canada was represented by official delegates at the Inter-Allied Conference, called to discuss the so-called Dawes Report dealing with reparations and the economic stabilization of Germany. In 1924, because the Dominion had not been asked to send a delegate to participate in the negotiations, Canada refused to sign the Treaty of Lausanne between the former Allied Powers and Turkey. In 1925, Senator Dandurand, a Canadian, served as president of the League of Nations Assembly. In June of the same year, the Dominion Parliament ratified a reciprocal preferential trade treaty with Australia. As another phase of this autonomy, Canada has insisted successfully on her right to determine her immigration policies, even when this involves discriminations against other races in the Empire. Finally, in 1925, in recognition of the new importance of the dominions, Great Britain created a Secretaryship of State for Dominion Affairs as an addition to the British ministry.

*Co-partnership*

Although the Great War stimulated the spirit of Canadian nationality and brought forth a new insistence on complete national autonomy, this did not mean a widespread desire to break the bonds binding the Dominion to the rest of the Empire, even though these bonds consist to a large extent of sentimental considerations. The habits of trade, reënforced by the ties of sentiment, make for a loyalty which it is difficult to destroy, and the Canadian people, with few exceptions, look forward to continued and mutually beneficial coöperation with Great Britain on a co-partnership basis with other members of the Empire and with other nationalities represented in the League of Nations. At the same time, Canada's interests are also very closely involved with those of the United States, and she has every reason to desire closer and more friendly intercourse with the great neighbor republic. On many issues, the Canadian point of view more nearly approximates that of the United States than that of the mother-country, and it may well be that Canada will yet serve the peace of the world as the great interpreter between the United States and Great Britain on all major issues which concern the English-speaking nations.

*Prime Minister  
Borden on  
Canada's new  
status*

The redefinition of constitutional theories is always a difficult task, and the developments in the relationship between Canada and Great Britain, discussed in the preceding pages, were difficult to reduce, in all details, to the clear-cut statement of cold logic. In 1919, Sir Robert Borden, then the Conservative prime minister of Canada, and a constitutional lawyer of great repute, tried to state the case by characterizing Canada's new status as follows, "Equality of nationhood must be recognized, preserving unimpaired to each dominion the full autonomous powers which it now holds and safeguarding to each, by necessary consultation and by adequate voice and influence, its highest interests in the issues of war and peace. For each nation complete control in its own affairs; for the whole

Empire necessary coöperation according to the will of the people, in all matters of common concern."

Mackenzie King, the Liberal prime minister upon whom has fallen the mantle of Laurier, six years later in a speech at Warton, Ontario, tried to clarify his views concerning imperial relationships. His remarks were all the more important because they followed shortly upon the rejection of the Treaty of Lausanne and the halibut fisheries negotiations discussed above. He said, in part, "In regard to foreign affairs there are some things which we in Canada feel to be of our own immediate and direct concern, and of no concern to other parts of the Empire. These things we should manage ourselves. We took that position with regard to the treaty with the United States on the halibut question. . . . Just as we have gained self-government in domestic affairs, so in foreign affairs, which are of direct and immediate concern to ourselves, we contend that they should be managed by our own people. In foreign affairs in which we have no immediate or direct interest, we believe these questions should be left to those parts of the Empire concerned. If questions arise which are of a character likely to affect all of us, then we say where our interests come in touch with those of other parts of the Empire, we should take our part in shaping the policy and have our voice heard."

*Prime Minister  
King's views*

In spite of such attempts at clarification, it was apparent that the task of reducing imperial constitutional relations to an intelligible basis was one to which the next imperial conference would have to devote a major part of its attention. Therefore, in the most recent of the conferences, which met in London in the fall of 1926, the question of imperial relationships came at once to the front. At the conference were three of the most outspoken champions of dominion "nationhood," Prime Minister Hertzog of South Africa, President Cosgrave of the Irish Free State, and Prime Minister King of Canada. The Canadian delegation consisted of the prime minister and the Hon. Ernest Lapointe, minister of justice, supported by a strong secretariat.

*Imperial  
conference of  
1926*

A wide variety of business was discussed at the London conference, such as imperial defense, the establishment of bases for aircraft in the outlying parts of the Empire, imperial trade relations, immigration problems, the interchange of scientific data, and many other matters, and there was the usual review of the British navy by the visiting prime ministers. All of these matters were overshadowed by the demand for an official statement of the new position of the self-governing states within the Empire, and this demand was squarely and most graciously met by the home government. The result was the issuing of an epoch-making document, the report of the prime ministers on imperial constitutional relations, which has been called "the new Magna Charta of British Imperial Unity."

*Business of  
conference*

According to this report on the reorganization of the Empire, full and formal recognition is given to the equality of status as be-



*"New Magna  
Charta"*

tween Great Britain and the dominions, both in domestic and external affairs. The self-governing states are referred to as "autonomous Communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the Crown and freely associated as members of the British Commonwealth of Nations." The document recognizes the tendency toward equality of status as being "both right and inevitable," and proclaims every self-governing member of the British Empire master of its destiny. Equality of status is the "root-principle" governing imperial relations. In the application of this principle, the full treaty-making powers of the dominions are specifically recognized and provision is made for the appointment of foreign consuls to a dominion, on the approval of the dominion government.

*Status of  
Governor-  
General*

The status of the governor-general in the dominions is changed by the statement that this official is "the representative of the Crown, holding in all essential respects the same position in relation to the administration of public affairs in the dominion as is held by His Majesty the King in Great Britain." In other words, the governor-general ceases to be the agent or representative of the British Government, and in the future, the recognized channel of communication between a dominion and the mother-country will be from government to government direct. The title of the dominion governments has been changed and in the case of Canada, the phrase "His Majesty's Government in Canada" is now the only technically correct one to use.

*Other changes*

Certain general principles were accepted to establish dominion legislatures on a footing of equality with the British Parliament, and the appointment of an imperial committee of experts was recommended to work out a more detailed report on this point. Specific provision also was made in the report for the independent negotiation of treaties by members of the Empire with foreign nations. These negotiations are to be carried out by the dominions' own plenipotentiaries, but other parts of the Empire are bound by such treaties only if they desire to be. Finally, in the report of the prime ministers the development of some permanent machinery to insure a more adequate system of communication between the mother-country and the dominions was advised. The report frankly recognized the right of dominion governments to send their own diplomatic representatives to foreign capitals. In pursuance of this last mentioned policy, the Hon. Vincent Massey assumed his duties as the first Canadian minister to the United States early in 1927, and on February 3 of the same year, the Washington government designated Mr. William Phillips, former ambassador to Belgium, as the first minister from the United States to Canada.

*Future*

Opinion is divided in Canada and elsewhere as to the real value and significance of this new "Magna Charta" of the dominions. In

a sense, of course, the report is merely a formal statement of practices and customs which have existed for a number of years in the conduct of imperial relations. A few observers in Great Britain and Canada have suggested that the new arrangement is the immediate forerunner of the disintegration and collapse of the British Empire. But most Britishers, whether in the home country or in the dominions, seem to disagree with this pessimistic conclusion. They point out with great effect that the Empire is built on common traditions, common policies, and a common political philosophy, and that the structural technique is the least important factor in imperial unity. It is highly possible that the report of 1926 will furnish a satisfactory constitutional basis for the British Commonwealth of Nations for many years to come. Professor Kennedy has made the significant comment, "At long last we have completed our lesson from the American Revolution."

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## CHAPTER XXXI

### PARTY POLITICS SINCE THE WAR

#### *Party politics*

THE coalition Government established by Conservatives and Liberals in 1917 was responsible for most of the legislation, discussed in the preceding chapters, dealing with the war and reconstruction in Canada. This Government guided the Dominion through the last stages of the Great War, it conducted Canada's peace negotiations, and it laid the foundations for the great work of reconstruction. Laurier, the leader of the Opposition composed of those Liberals who had supported him on the conscription issue and who refused to join the Unionist Government, spent the short time still left to him for the game of politics in trying to heal the breach in the ranks of his party. He carefully avoided all controversies which might make the ultimate reconciliation of Liberals and Union Liberals more difficult. He wisely and patriotically urged his fellow Canadians to obey the conscription law, and during the peace negotiations with the vanquished Central Powers, Laurier proved less of a "bitterender" than many of his colleagues. In a spirit of true conciliation, he urged Germany's admission to the League of Nations, and in the domain of domestic affairs, he advocated the enactment of new forms of social legislation.

#### *Death of Laurier*

Early in 1919 Laurier's long and honorable career was ended by death, and in that year Parliament met for the first time in forty-five years with the noted French Canadian absent from his seat. At the state funeral with which the Dominion honored her great leader, all parties united to do honor to the memory of a brilliant and patriotic statesman whom many had reviled and whose loyalty some had questioned seriously just a few months before. For nearly forty years, Quebec's favorite son had guided the councils of the Liberal party. Much of his life had been spent in the effort to bring about harmonious relations between the French and the English in Canada, and at the time of his death, it seemed that a large part of his work had been in vain, for the reconciliation of the two races was temporarily defeated by the bitter passions of the war. The great Liberal party which Laurier had piloted for decades was divided into two factions, and the task of rebuilding had to be left to younger hands.

#### *His successor, W. L. M. King*

The leader upon whom the mantle of Laurier fell was William Lyon Mackenzie King, grandson of the leader of the Upper Canadian rebellion of 1837, and for years recognized as one of the ablest of the younger Liberals, and a man who had enjoyed the complete confidence of the stricken leader. King was a graduate in political science and



law of the University of Toronto, and had advanced degrees from Chicago and Harvard, where he had done special work in sociology and labor problems. At Chicago he had lived for a time in the famous Hull House settlement. After relinquishing a traveling fellowship from Harvard, he declined an instructorship in economics at that institution to enter the government service of the Dominion. In 1900, he began his eight years' service as deputy minister of labor and soon acquired a reputation as a skilful adjuster of industrial controversies. The Lemieux Act of 1907, for the investigation and prevention of strikes and lockouts on public utilities, was really King's work and attracted international attention. In 1909, Laurier promoted his young lieutenant to the position of minister of labor and the confidence which the veteran leader of the Liberals placed in his young colleague at that time steadily grew with the passing of the years. In the Conservative victory of 1911 Mackenzie King lost his seat. At the outbreak of the war three years later, he was engaged in an investigation of industrial problems for the Rockefeller Foundation in the United States, and during the Great War, he remained active in the adjustment of industrial disputes in the United States. King supported Laurier in 1917 in his opposition to conscription. Two years later, over the claims of older men like George P. Graham and W. S. Fielding, Mackenzie King was chosen at a party convention as leader of the Liberal party.

By 1919 signs of the gradual disintegration of the Union Government began to appear. Sir Robert Borden, weighed down by the unusual burdens of guiding the Dominion through the war and the peace settlement, was in danger of a serious physical breakdown; his physicians advised at least temporary retirement from public office. T. A. Crerar, a western Liberal and farmer leader who had joined the Union Government, resigned in 1919 to become the spokesman of the agricultural interests in their demands for a lower tariff and reciprocity with the United States. Sir Thomas White, the able minister who so skilfully guided Canada's financial mobilization during the war, also resigned because of ill health and the necessity of resuming his professional affairs. By 1920, only five Liberals were left in the Union Government formed three years earlier, and many of the stalwarts of the Conservative party had retired also. Pardee and Fielding, two of the ablest of the Liberal supporters of the Government, had returned to their Liberal allegiance.

In a party caucus held on July 1, 1920, the old Conservative party, still under the leadership of Sir Robert Borden, was reorganized as the National Liberal and Conservative Party. Its principles included autonomy within the Empire, revision of the tariff to prevent the formation of oppressive combinations in restraint of trade but without the abandonment of the protective principle, economy in government, expert, non-partisan management of the national railways, government aid to soldiers and farmers, adequate preparedness

*Decline of  
Union  
Government*

*Reorganization  
of the party*

for war, the encouragement of desirable immigration, a program of internal improvements, and a square deal for labor without class legislation. Obviously, the new platform was calculated to unite all those who favored a middle-of-the-road policy in the troublous days of reconstruction under the banner of the National Liberal and Conservative Party.

*Arthur Meighen  
succeeds Prime  
Minister Borden*

On July 10, Sir Robert Borden resigned the party leadership. Sir Thomas White declined the premiership, and so Arthur Meighen, the minister of the interior, was chosen as Sir Robert Borden's successor. Meighen was then forty-four years of age, the descendant of an Irish immigrant. A distinguished graduate of the University of Toronto, he had been admitted to the Manitoba bar in 1903. In 1908, he entered the House of Commons and soon distinguished himself by his great efficiency, his tremendous industry and powers of endurance, and his ability as a cold, calculating, hard-hitting debater. He was known as an ardent Conservative who believed that the agrarian movement of the West was a dangerous attempt to foist class legislation upon the Dominion, and he had an abiding faith in the saving grace of high protective tariffs. Prime Minister Meighen promptly reconstructed his ministry. Of the sixteen members of the new Government, only four could claim any earlier Liberal affiliations.

*Liberal revival*

Meantime the Liberals, encouraged by sweeping victories in Quebec and Prince Edward Island, also held a party convention in the summer of 1919. Hundreds of delegates, selected on a broadly representative basis, and eight of the nine provincial prime ministers, attended the three day sessions which developed into a love feast to celebrate the return of the prodigals to the Liberal fold. The platform adopted by the convention contained demands for tariff reduction, and specifically stated what duties should be reduced and what articles should be placed on the free list in order to encourage production and reduce the high cost of living. In addition, under the influence of the party's new leader, resolutions of a very progressive nature, dealing with industrial problems, were inserted. The party endorsed such proposals as labor representation in industry and on government commissions, proportional representation, state insurance, vocational training for disabled workers, federal incorporation of coöperatives, and the restriction of Chinese immigration. The platform opposed any change in Canada's status within the Empire except after an appeal to Parliament and a popular referendum, and contained planks denouncing profiteering, legislation by order-in-council, and the blunders of the Borden Government. To attract the farmers, the party endorsed government grain elevators and rural credits legislation, and the soldier vote was appealed to by the promise to increase the government aid for veterans of the Great War.

Both parties thus reformed their lines for the impending political

battle, and in the summer of 1920, the two young leaders undertook extensive "stumping" tours through the West, for both realized that the greatest and most disquieting single issue in Canadian politics since the war was the revolt of the western farmers against the government, and the rise of a new western sectionalism opposed to a régime accused of truckling to the commercial and capitalist interests of the East. King endeavored to attract the farmer and labor vote by preaching tariff revision, and by denouncing "invisible government" by the big interests, and the "absolutism and autocracy at Ottawa." The latter was a reference to the 35,142 orders-in-council issued by the Ottawa Government between 1914 and 1919. Liberal gains in New Brunswick, Nova Scotia and British Columbia seemed to augur success in the next national campaign.

*Preparing for  
election*

In the parliamentary session of 1921 the Meighen Government showed further signs of breaking under the load of economic discontent which was the aftermath of the war, and the Opposition, scenting victory in the near future, vigorously assaulted the tottering Government and branded it as a Government without a mandate from the people. In September, the cabinet was reorganized preparatory to an appeal to the country, and four French Canadians were given portfolios, obviously for political reasons. Much of the legislation passed in 1921, dealing with pensions and soldiers' employment in the civil service, and including an act to prevent the dumping of American products on the Canadian market, was hurried through with an eye to the coming elections. Such by-elections as were held went against the Government. At the time of dissolution, Prime Minister Meighen's majority in the Commons had dwindled to twenty-one, with eight vacancies unfilled.

*Session of 1921*

On November 4, 1921, Parliament was dissolved and a general election was called for December 6. The Meighen Government by this time had become one of the most unpopular in all of Canadian history, and it was destined to go the way of most of the governments which had been in power in the belligerent countries during the war. Greatly weakened by internal friction, the Government was accused of grafting during the war, of encouraging and shielding the war profiteers, of burdening the people with unnecessary war taxes and conscription, of favoring big business, of causing the economic depression following the war, and of autocratically holding on to war powers when the country had returned to a peace basis. Meighen seemed doomed to defeat because the people, now that the war was over, desired a change, although many of the voters did not know just what that change should be.

*Unpopularity  
of Government*

The National Liberal and Conservative Party manifesto stressed the protective tariff as the leading issue of the campaign. It denied that the tariff protected the "interests," and the party pleaded for support on the basis of its war and reconstruction record. The Liberals, in an effort to unite all the forces of discontent under their

*Issues in  
campaign of  
1921*



banner, chronicled the sins of omission and commission of the Borden and Meighen Governments in great detail. In the list were such charges as the inflation of the currency, the rising cost of living, the nationalization of the railroads without a popular referendum, attacks on the civil service, unemployment, and waste in rehabilitation work. On the tariff issue, the Liberals took middle ground. They asserted that the "tariff had outlived its usefulness," and they promised revision, but at the same time, they denied that they were free traders or that legitimate business had anything to fear from a Liberal victory.

*Farmers'  
platform*

For the first time the embattled farmers, under the name of the National Progressive Party, led by Crerar, entered a national campaign, and the old two party system broke down under the attacks of this new agricultural "bloc." The Progressives demanded a re-valuation of the railroads, economy in government, aid to agriculture and land settlement, proportional representation, the initiative and referendum, freer trade and reciprocity with the United States. The party denounced autocracy in government, the war times election act, and the presence of so many lawyers in political office. These champions of the "new nationalism" charged that the bankers controlled the great trusts, and that by a system of interlocking investments and directorates and by special legislation obtained from a willing government, a few men were securing a stranglehold on the industries, railroads, grain elevators, banks, and, in fact, on the whole economic life of the Dominion. These demands suggest a marked similarity with those of the Farmers' Nonpartisan League which was spreading rapidly through the northwestern states of the United States in this same period.

*Nature of  
campaign*

The political battle of 1921 was waged vigorously in all parts of the Dominion. A total of 630 candidates were put in nomination for the 235 seats in the House of Commons. In Quebec, the Nationalists played an unimportant rôle, and the French-Canadian province, under the able guidance of Rodolphe Lemieux, Ernest Lapointe, and Sir Lomer Gouin, returned to its former Liberal allegiance. In Quebec, both Conservatives and Liberals advocated the "tariff of Laurier." All parties made a vigorous appeal for the votes of the newly enfranchised women. Prime Minister Meighen, with keen satire and much truth, described the attempt of the Liberals to get back into power as a campaign promising "protection for fruit in British Columbia, free trade in the three prairie provinces, higher tariff on implements of production in certain sections of Ontario, lower tariff on implements of production in others, anti-conscription in Quebec, and humbug in the Maritime provinces." Imperial relations did not figure much in the campaign. The government ownership question also attracted comparatively little attention. The Conservatives naturally defended the nationalization of the railroads which they had brought about as a necessity, the farmers favored public

ownership, and the Liberals confined their comments to an appeal for an honest trial of the new plan.

The elections of 1921 resulted in the defeat of the Meighen Government in every province except British Columbia. On the prairies every Meighen candidate except one city member went down to defeat. Quebec, Nova Scotia and Prince Edward Island returned solid Liberal delegations. In the three western provinces, the Progressives won thirty-seven seats, the Liberals five. In Ontario, the organized farmers carried twenty-four seats, and the total representation of the new third party in Parliament was increased from fourteen to sixty-five. The Liberals received a plurality of the popular vote, but controlled only 117 seats in the Commons. This made them the largest single group in Parliament, but obviously they could not command a working majority. Three labor members also won seats in the federal Parliament, and many others were elected to provincial legislatures during these years. Prime Minister Meighen lost his seat to a Progressive, and a new constituency had to be found for him.

*Defeat of  
Government*

The Dominion faced a new political and constitutional problem as a result of the election of 1921. The governor-general summoned Mackenzie King to construct a new Government, but owing to the victories of the farmers' third party, the new prime minister could rely on neither a majority in the House of Commons nor in the country. King tried hard to induce several Progressive leaders to enter his cabinet, but the new party preferred to maintain its independent position. Nevertheless, it was clear that the Progressives would be more sympathetic toward the followers of King than they could be toward the followers of Meighen, and so the new prime minister was obliged to steer a course which would propitiate the agrarian "bloc," if he wanted to remain in power. The Progressives were thus in a strategic position to force concessions from the Government, yet they never quite dared to unhorse the Liberal prime minister for fear of bringing the Conservatives back to office.

*Constitutional  
problem*

When Prime Minister King assumed his duties as leader of the Government he was the youngest man ever to have held that high honor. The new leader promptly reduced the size of his cabinet from 22 to 19. The prime minister, besides filling the position of president of the privy council, assumed the duties of secretary of state for external affairs. G. P. Graham became minister of militia and defense, James Murdock minister of labor, and W. S. Fielding minister of finance. Sir Lomer Gouin, for years Liberal prime minister of Quebec, entered the federal Government as minister of justice; Ernest Lapointe, another distinguished French Canadian, became minister of marine and fisheries. Rodolphe Lemieux was chosen speaker of the House of Commons, and was soon mentioned as a possible appointee to Washington, should the Government decide to send a special Canadian minister to the United States. W. R. Motherwell, a pioneer in the farmers' movement, became minister of agriculture. The leader of the

*King's  
Government*

Progressives refused to accept the salary set aside for the Opposition spokesman, and so Meighen technically filled that position.

*Party situation,* The King cabinet contained many able men, and revealed the political skill of the prime minister, who made a very favorable impression in these first years of his leadership. Most of the important legislation enacted between 1921 and 1925 dealing largely with the continuation of reconstruction measures has been noted in a preceding chapter. Because of the unstable party situation, these years, however, were characterized by a notable lack of constructive achievement. By 1922, King had a nominal majority of only two over all parties in the Commons. The Senate remained a Conservative stronghold with a majority of thirty-five, and on occasion displayed real vigor in checkmating the plans of the other house. In 1923, for example, the upper house rejected important railroad bills and liquor legislation.

*Rôle of Progressives* The Progressives, still quite undisciplined as a party organization and without many experienced leaders, failed to pursue the rôle of effective critics which many had expected the new radical party to assume, and the year 1922 marked a great falling off in the membership of farmers' organizations, losses to their coöperatives, and differences of opinion among their leaders. In October Crerar resigned his leadership of the National Progressive Party to devote his energies to rebuilding the United Grain Growers' Ltd., which was losing money rapidly. Robert Forke of Manitoba became the new farmer leader, and under his direction, efforts were made to perfect the party machinery and to enlist the support of voters who were not farmers. Three western provinces had farmers' Governments. In Manitoba, the Liberals were turned out of office in the summer of 1922, and Professor John Bracken, President of the Manitoba College of Agriculture, was elevated to the premiership, although he himself was not a member of the United Farmers of Manitoba. By 1923, the crushing defeat of the Drury farmer Government in Ontario gave the first serious blow to the agrarian movement.

*Liberal defeats* The Liberals spent much of their time in sparring for position and carefully avoided important legislative measures which might endanger their control of the government. Canada continued to suffer from industrial depression and a heavy loss of population to the United States, and little progress was made in tariff, railroad or other economic legislation. In 1924, the Government lost several by-elections in the maritime provinces, and Sir Lomer Gouin and W. S. Fielding, two of the ablest members of the party, retired from the ministry.

*"Steering west" on tariff* The Government now decided to "steer west" on the tariff, and notable changes were made in the budget of 1924, discussed in a preceding chapter. By this emphasis on tariff reform, the Liberals and Progressives were drawn closer together, but the Government's new schedule of railroad freight rates probably antagonized as many westerners as their reform of the tariff could attract. The Government also secured the passage of a redistribution bill increasing the mem-



bership of the House of Commons from 235 to 245, Nova Scotia losing two seats and the western provinces gaining twelve. Thereupon the Government decided to appeal to the country for an increased majority to break the political deadlock which had existed since 1921. The elections were set for October 29, 1925.

It was to be expected that the campaign would lack clear-cut issues, and both Liberals and Conservatives tempered their remarks to please all sections of the country. The Liberals promised tariff reform and tax reduction, but on this point the Progressives fought shy of a Liberal alliance and refused to accept the prime minister's promises at face value. It was notable that the Liberals did not stress tariff reduction in Quebec, because that Liberal stronghold was rapidly turning protectionist. The Progressives attacked the "new feudalism" imposed upon the people by eastern capitalists, and demanded free trade and an elective upper house. They also supported government ownership of the railroads. The Conservatives assailed the Government for alleged attacks on the civil service system, and for squandering money on unnecessary public works. None of the party leaders had much to say about Canada's new international status.

*Campaign  
of 1925*

The results of the election reduced the Liberal or Government party's strength in the Commons from 118 to 101. The prime minister and seven of the cabinet failed of reelection. The Progressive party suffered the most startling defeat in the campaign. Only in Alberta did the Progressives win a majority of the contested seats, and their representation in all the western provinces fell to twenty-three. The Conservatives, although returned with a more than doubled membership, still lacked a working majority in the Commons. Moreover, in spite of a plurality of some 200,000 votes, Meighen lacked an actual majority of the popular votes cast. The result of the election thus gave the Liberals 101, the Conservatives 116, and the Progressives and Independents twenty-eight seats. The balance of power remained with the agricultural "bloc."

*Outcome*

A serious constitutional issue was raised by this failure of the people to express their sovereign will more decisively. Neither Liberals nor Conservatives could claim a mandate to organize the Government as a majority party, and Prime Minister King was forced to choose among several possible courses. He might have asked the governor-general to call another election, a procedure which would have involved heavy expenditures and probably would have left the party situation as muddled as before. The Conservatives insisted that the only honorable course to follow was to entrust the formation of a new ministry to Arthur Meighen, on the ground that the failure of the Liberals to secure a majority in the election created a moral obligation to call the Opposition to the helm. Mackenzie King preferred to try the third possibility of "muddling through," and announced that he would rebuild his badly riddled cabinet—a

*"Muddling  
through"*

new seat had to be found even for the prime minister—by appointing ministers who had been reelected and Liberal members from the Senate, and that he would leave the fate of his reconstructed Government to Parliament when it reassembled in January, 1926. In the meantime, according to the charge of the Conservatives, the Dominion was virtually governed by order-in-council. King insisted that on the most important issue of the campaign, the tariff, the Progressives would be more likely to give their support to him than to the leader of the Opposition.

*Opposition  
tactics*

Prime Minister King's course led to a heated discussion of its constitutional justification, the Conservatives contending that their opponents were defying a well-established custom of the constitution compelling a minority leader to resign immediately when defeated in an appeal to the country. Their argument was unsound. A defeated leader has an absolute right to meet the House and to await its verdict, and King followed excellent precedents. Meighen also denied that the tariff was the leading issue of the campaign, and made serious charges of unethical and unconstitutional conduct on the part of the Liberal prime minister and his followers.

*Session of 1926*

The Fifteenth Parliament of the Dominion, which met early in 1926 under the nominal leadership of Prime Minister King, found it impossible to enact many important measures and was doomed to an early death. Nevertheless, the King Government managed to push along a budget which was admittedly popular, and an old age pensions and a rural credits bill. The last two measures failed to pass the Senate, after they had received the approval of the Commons. Party tension steadily increased, but for several months, the Liberals received enough votes from the handful of Progressives to remain technically in power. Party "whips" had to exert themselves to the utmost to prevent the unhorsing of the Government on snap votes.

*Customs scandal*

The Opposition insisted upon a number of investigations into the functioning of government departments, and particularly upon a scrutiny of the customs service and its relation to the growing industry of rum-running across the Canada-United States border. A special parliamentary committee revealed scandals of great magnitude in the customs service. A smuggling industry in alcoholic liquors and narcotics was robbing the Dominion treasury of millions of dollars, and this industry apparently thrived through the connivance of some officials in the customs department. Clearance papers for liquor consigned to the United States were signed by the hundreds for vessels technically going to Japan, Mexico or the West Indies. The investigation revealed that a gang of international smugglers had established themselves at Montreal and other points along the border, and not only smuggled liquor into the United States but brought American dutiable products, such as textiles, cigarettes and other articles, into Canada. The latter practice particularly aroused the wrath of Canadian merchants and manufacturers and others who otherwise were

inclined to condone the sale of liquor to the United States because it brought money into the Dominion.

The investigation brought to light many facts which seemed to implicate members of the Government. Bootleggers and smugglers had influential friends in the customs service, and political influence had been used on occasion to keep bootleggers out of jail. It was pointed out that a notorious New Brunswick bootlegger had been saved from jail until after the election, because a Liberal member from the province appealed to the minister of customs for a stay of execution of his sentence.

*Government  
involved*

The King Government had to bear the brunt of these disclosures and Meighen pressed for a vote of censure. A conservative estimate placed the loss to the Canadian revenues from smuggling at \$35,000,000 annually. A secret report, supposed to have been suppressed by the investigators, and referring to gay liquor parties on government property by members of the Government, was privately passed around with good effect among the Progressive members. At this critical juncture, it became evident that the latter would no longer support the Government, and the prime minister, faced with defeat, resolved to ask the governor-general, Lord Byng of Vimy, to dissolve Parliament and to call a general election. The governor-general refused to dissolve Parliament on the advice of his chief minister, apparently on the ground that the Opposition leader should first be given an opportunity to construct a Government. Thereupon Prime Minister King resigned (June 28, 1926).

*Governor-  
general  
raises new  
constitutional  
issue*

Meighen was immediately summoned to Government House to form a new ministry, but at this point a new constitutional difficulty arose. The appointment of a new cabinet involved the temporary vacating of the appointees' seats in the Commons, and the necessity of appealing to their constituencies for reelection. The Conservative majority was so slender that this would immediately make the party pendulum swing back to the Liberals again, and the new Government would suffer defeat before it began to function. Meighen now gave the constitution another wrench, and accepted the post of prime minister, but refused to take the oath of office until he could get guarantees from the Progressives not to oust his Government if he temporarily vacated his seat. The new leader then proceeded to form a temporary ministry of six "acting ministers," all to serve without portfolios.

*Government  
of "acting  
ministers"*

The Liberals challenged this new departure from the custom of the constitution with great vigor, and on the morning of July 2, the Meighen Government was driven from office by a motion of want of confidence, in which the vote was ninety-six to ninety-five. King, as leader of the Opposition, had threatened to hold up all appropriation bills on the ground that Parliament could not vote the yearly supplies to a Government which had no legal existence. Meighen, after a stormy premiership of hardly three days was thus in turn compelled

*Parliament  
dissolved*



to seek a dissolution. Lord Byng this time accepted the advice of his chief minister, and Parliament was dissolved. The fact that the governor-general denied Parliament the courtesy of a formal summons to the prorogation ceremony, and that members were notified by pages that the session was dissolved, added greatly to the excitement over constitutional procedure. A great number of important bills, among them the supply bills, were lost in the constitutional jam at the end of this hectic session.

*Campaign  
of 1926*

The campaign of 1926 was the result of years of political floundering following the war, marked by the apparent disintegration of the old two-party system and the rise of a vigorous Canadian sectionalism which seemed to make the task of rebuilding party lines very difficult; 528 candidates contested for 244 seats, one seat in Manitoba going without a contest to a Liberal-Progressive. The candidates were distributed as follows: Conservatives 233, Liberals 199, Progressives twenty, Independents twenty-five, Labor eighteen, United Farmers of Alberta twelve, Liberal-Progressives twenty-one. In forty-eight constituencies the Liberal party, in an effort to avoid three-cornered contests, refrained from making nominations and supported Independent, Labor, or Progressive candidates.

*Liberal issues*

King insisted at the beginning of the campaign that the unconstitutional procedure of the governor-general in refusing a dissolution to the Liberal prime minister was the "most important issue in the country to-day," and that the election would determine whether Canada would continue as a self-governing nation or be reduced to the level of a Crown colony. He denounced Meighen's appointment of "acting ministers" and accused the Conservatives of awarding contracts and paying out public money without constitutional warrant. Meighen defended the action of the governor-general in what he called "upholding responsible government," accused the Liberals of trying "to cut off the subject's right to go to the foot of the throne," and of planning to weaken the British connection. Mackenzie King was charged with "leaning to the south," an alleged interview was quoted from the *Wall Street Journal* to prove King's American sympathies, and he was forced to explain that he had university degrees from Toronto, Edinburgh and Oxford, as well as from Harvard. By way of retaliation, the Liberals found joy in pointing out that Prime Minister Meighen had christened a son Theodore Roosevelt Meighen.

*Conservative  
issues*

According to the Conservatives, King raised "the miserable dust of a constitutional issue to becloud the customs issue on which he was voted out of power." Every effort was made to keep the customs scandal to the front. Meighen accused the Liberals of "helping American thieves make fortunes," and mercilessly exposed the maladministration of the customs department under Bureau and Boivin, two former ministers, the first of whom had since been "sentenced to the Senate at a salary of \$4000 a year." The Liberals were forced to admit the truth of many of these charges, but argued

that most of the employees were appointees of previous Tory Governments, protected by civil service rules, that both parties were involved, and that the "welter of wickedness" was continuing under the Meighen régime.

The Liberals stressed their record of achievement during the preceding four years. Canada was prosperous, and an unfavorable trade balance of \$35,000,000 in 1921 had been converted into a favorable balance of \$400,000,000. Manufactured exports exceeded imports by \$15,000,000 for the first time in Canadian history, and the Canadian dollar stood above par. King paraded the virtues of the Robb budget, by which cuts had been made in income and sales taxes, postal rates, the tariff on autos and on implements and machinery needed in farming, mining and fishing; he promised further reductions in expenses, taxation and the national debt. "Let Robb Bring in the Next Budget," "Don't Be Robbed of the Robb Budget," and "Put King Back and Keep Prosperity" proved effective Liberal slogans. Meighen replied by attributing Canada's prosperity to a kind Providence and her natural resources, and charged that the Robb budget had made reductions only at the expense of the Treasury, that the budget was "a malodorous sham" and that "tariff tinkering" by the Liberals and their Progressive supporters had closed 3000 factories.

*Prosperity and  
Robb budget*

On the tariff issue neither party was consistent nor clear in its statements of principles. In the West, Mackenzie King appeared on the same platform with Robert Forke, the Progressive leader, and promised real tariff reduction. In protectionist Montreal and Ontario, he advocated a tariff which would build up Canadian industry and not injure any legitimate business, and promised to make cuts with the greatest care. Traditionally the Conservatives are the high tariff party. Meighen championed protection and charged that the Liberals, dominated by western Progressives, were slowly fighting their way to free trade. In Ontario, he advocated a "brick for brick" tariff wall against the United States, but in Saskatchewan Meighen said, "I know the West does not want any high tariff. The Conservative party does not propose to impose any such tariff. Our platform is not what some fellow may say in Toronto or in Montreal." In the East, he consistently denounced free trade as a policy which would set "our best blood flowing into the veins of the United States," and in Brantford, he promised thorough revision to cope with the "big rival to the south."

*Trimming on  
tariff issue*

The Canadian National Railways also figured in the campaign. The Liberals accused the Meighen Government of planning to make them subsidiary to the Canadian Pacific, and although the Conservatives reaffirmed their faith in nationalization, many voters doubted the attitude of Meighen's minister of railways and his Montreal-controlled minister of justice. King promised to reenact the old age pensions law which the Conservative Senate had blocked, and made a special appeal for social justice for the laboring classes.

*Other issues*

In various sections local issues assumed importance. In the urban centers of Ontario the chief issue was the tariff, in the western and eastern parts of Canada such issues as railroad rates, the Hudson Bay Railway, alleged preference for American instead of Canadian Atlantic ports, pulpwood exports, Oriental immigration, and even the old Military Service Act of 1917 were important. Finally, both parties appealed to the voters to end the unstable party situation. "Vote Conservative and for Stable Government" was the battle cry of the followers of Meighen, while the Liberals insisted that only their party had a chance to win a majority of the seats in the House of Commons.

*Muddled  
campaign*

During the campaign the usual crop of personal attacks, slanders and political "roorbacks" made their appearance. Both King and Meighen conducted strenuous personal campaigns, and in Quebec both repeatedly addressed their hearers in French. Meighen was accused of appealing to the Nationalists of Quebec by promising a popular referendum before sending Canadian troops abroad to help England, and then refusing to discuss this issue before a Toronto meeting. Henri Bourassa, the fiery Nationalist leader, criticized both parties, but denounced the Conservatives specifically as the "Tory-Orange clique." He promised to support the Liberals who were trying to check the "empire-mongers," rather than vote for "the men who have been the most ardent and the most stubborn in making us drink the cup of the Great War to the dregs."

To an unbiased observer, there was much in the campaign which seemed to prove that "politicians played with principles and policies for the sake of portfolios and power." The *Toronto Globe*, in spite of its Liberal traditions, found it impossible to give unqualified support to either King or Meighen, and claimed that both parties had received secret campaign contributions from the distillers.

*Liberal victory*

The election turned out to be a crushing defeat for the Conservatives. The result was: Liberals 119, Conservatives ninety-one, Progressives eight, Liberal-Progressives eleven, United Farmers of Alberta eleven, Labor three, Independent two. Prime Minister Meighen and six of his ministers were defeated. British Columbia, Nova Scotia, New Brunswick and Ontario returned Conservative majorities, but in the last named province the great inroads made by the Liberals, even in protected manufacturing districts, were a decisive factor in the defeat of the Meighen Government. The prairie provinces, with the exception of one seat, went solidly against the Conservatives. Although the Liberals did not obtain a clear majority in the House of Commons, a sufficient number of Liberal-Progressives, endorsed by both parties, were elected to give a majority over all others. Moreover, the Independent, Labor, Progressive, and United Farmer of Alberta groups, with twenty-four seats, were expected to support Mackenzie King rather than the Opposition leader on major issues.

The popular vote slightly exceeded 3,100,000, or about seventy



per cent of the number of eligible voters in the Dominion. An analysis of this popular vote shows that there was a relatively slight overturn in public opinion, for the Conservatives polled practically as large a vote as in the preceding election, and the increase in the total Liberal vote was only 100,000. The total minor party vote shrank by 100,000 from that polled in 1925. In Ontario a number of Conservatives and Progressives shifted to the Liberal ticket, and the working agreement between Liberals and Progressives in the West did the rest.

*Analysis of  
popular vote*

Liberal leaders attributed their gains to tax and tariff reduction and to the prevailing prosperity, with the constitutional issue and the blunders of the Conservatives having some importance. Prime Minister Meighen's catering to the French Canadians undoubtedly antagonized many Conservatives in Ontario. In general, his campaign was destructive rather than constructive, and many of his candidates and associates had records and connections which proved unfortunate in a campaign waged "to clean house." The benefits of the Robb budget, the Liberal promises of further tax reductions, and good times served to outweigh the customs scandal. The victorious leader in a signed pledge, agreed "to continue relentlessly the investigation of the Customs Service and carry out without fear or favor the needed reforms."

*Reasons for  
Conservative  
defeat*

Ten days after the election, Prime Minister Meighen and his colleagues tendered their resignations to the governor-general. Mackenzie King constructed a cabinet notable for its political strength, and for the careful geographical apportionment of the various portfolios so as to conciliate all factions and sections of the party. The new cabinet included seven French-speaking members. Quebec received six places, Ontario five, Saskatchewan three, and the six other provinces one member each. King's greatest success was his conciliation of the Manitoba Progressives. The latter received assurances from the new prime minister that on all important policies affecting the West, such as a moderate tariff, completion of the Hudson Bay Railway, and railway freight rates, the Liberals and Progressives were in complete agreement. To cement the alliance, and in spite of the determined opposition of the United Farmers of Alberta, King induced Robert Forke of Manitoba, the former Progressive floor leader in the Commons, to accept a portfolio. Thus virtually ended the effectiveness of the agricultural "bloc," which for five years had held the balance of power in the House of Commons. This Liberal-Progressive *rapprochement* was a great step toward the return of the two-party system in Canadian politics. The herculean task of cleaning up the department of customs and excises was assigned to William D. Euler, an Independent-Liberal of German stock from Ontario. Other prominent members of the cabinet were J. A. Robb, minister of finance, Ernest Lapointe, minister of justice, C. A. Dunning, minister of railways, and W. R. Motherwell, minister of agriculture.

*New cabinet*

With the return to power of the Liberals, Lord Byng's term of

*New governor-general*

office as governor-general expired, and the governor-general, who raised the constitutional issue which the Liberals insisted involved the future of Canadian liberty, was succeeded by Lord Willingdon. When Lord Byng bade farewell to the Dominion, he left with the plaudits of the people ringing in his ears, and all rumblings of opposition to his recent constitutional course were lost in the farewell tribute of an affectionate and loyal people to a governor who had after all been a most popular official.

*New Opposition leader*

Shortly after the close of the campaign of 1926, Meighen resigned as the official head of his party. Hugh Guthrie was elected House leader by a Conservative caucus held at Ottawa in October. The new leader was a comparatively recent convert to Conservatism. He had served in the Union Government as solicitor-general and as minister of militia in the Meighen Governments. A Dominion-wide convention of Conservatives was planned for 1927, to choose a permanent head of the party organization. The fact that the convention was to meet in the West was evidence of the party's desire to woo that section politically. At this convention, Richard Bedford Bennett of Calgary, was chosen as leader of the party on the second ballot. The new leader was born in New Brunswick, studied law, and in 1897 migrated to the West, where his legal talents and successful investments, notably in railroads and paper mills, made him a man of millions. After some service in the provincial legislature, he entered the federal Parliament in 1911. Closely associated with Sir Robert Borden, he rose rapidly in party councils. Defeated in 1921, after having served as minister of justice, Bennett was returned to Parliament in 1925, and held the post of minister of finance, during the brief Meighen régime of 1926. In the Liberal sweep of that year, Bennett had the distinction of being the only Conservative to be returned to the Commons from the prairies.

*First session of 1926-1927*

The tactics of the Conservative Opposition in the Parliament of 1927 were those of assisting rather than unnecessarily obstructing the new Government in the enactment of its program. The first session of Parliament after the campaign of 1926 proved to be much freer than its predecessors from petty political maneuvering and partisan tactics. Stable two-party government seems to have been reestablished for the moment. Besides participating in the notable Imperial Conference of 1926, discussed in the preceding chapter, Mackenzie King's Government has concentrated its efforts on the stimulation of trade and immigration, the preparation of a new budget, an attempt to secure the adoption of the old age pensions law previously blocked by the Senate, and the preparation of new social legislation, particularly a system of annuities for the workers of the Dominion. Negotiations are in progress for new trade treaties with Cuba, Germany and other countries, and new plans for the stimulation of immigration have been worked out by Robert Forke, the Manitoba Progressive who is minister of immigration. Talk of Senate reform will not down,

and it is known that all appointees of the King Government to the Upper House have been pledged in advance to support such reform proposals whenever they may be brought forward.

The investigation and reform of the customs service is progressing slowly, but apparently with great effectiveness. A commission was instructed to study the causes of discontent in the maritime provinces. Nova Scotia in particular has frequently expressed its dissatisfaction with the fiscal results of confederation as far as the maritime region is concerned. The province has been isolated, virtually, by high tariffs dictated by the central Canadian provinces. Geographic conditions make it difficult to develop manufacturing in the maritime provinces, and the Dominion policy of protection has resulted in heavy loss in the American market. Relief legislation has now been passed as a result of the report of the investigating committee. The new Robb budget introduced in February, 1927, provided for further tax reductions, in income, stamp, and sales, or so-called "nuisance taxes," but it made no tariff changes. A special tariff board is at work studying the needs and demands of specific industries and the Government apparently is waiting for its report before tampering again with the tariff policy of the Dominion. The tax reduction of the Robb budget, it has been estimated, will mean a loss of \$27,000,000 in government revenues. The finance minister, in the budget speech, reported that nearly \$100,000,000 had been paid off on the national debt during the preceding four years and that the estimated debt reduction for 1927 was \$31,000,000. For the first time since the war, Parliament has been asked to increase expenditures for national defense, the addition of \$3,000,000 to be applied primarily to the development of aviation.

*Budget*

On July 1, 1927, the Dominion of Canada began the celebration of the Diamond Jubilee of the Confederation, by His Majesty the King touching a signal in London which set the new carillon in the Parliament tower at Ottawa ringing, while radio stations broadcast the glad tidings of the nation's sixtieth birthday to the most distant parts of the Dominion and to Europe. Distinguished visitors from the mother-country and many foreign nations, including the popular Prince of Wales, participated in the happy occasion. From ocean to ocean Canadians linked hands in pride of their country. His Majesty George V cabled his congratulations in a message which began,

*Canada's  
diamond jubilee*

"To-day my people of Canada unite to celebrate the Diamond Jubilee of Confederation, and on such a day they may well look with a just pride at the achievements of the past, and with a confident hope to the promises of the future.

"In sixty years the boundaries of Confederation have extended tenfold, and its Governments are now responsible for the welfare of nearly ten million inhabitants. By labor, peace, and sacrifice of war, Canada has become a mighty nation. Aims as lofty and labors as strenuous await her in the future. Within her own bounds her people



have before them the task of developing the heritage which their fathers have left them.

"In a yet wider sphere she has to take an ever-increasing share in guiding counsel and solving problems of the Great Commonwealth of which she is a part, conscious that within it there is perfect freedom, and that the unity of the British Empire is the surest guarantee of the peace of the world to-day. . . ."

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## APPENDIX

### THE BRITISH NORTH AMERICA ACT, 1867

(30 & 31 Victoria, c. 3)

*An Act for the Union of Canada, Nova Scotia, and New Brunswick, and the Government thereof: and for Purposes connected therewith.*

[March 29, 1867.]

WHEREAS the Provinces of Canada, Nova Scotia, and New Brunswick, have expressed their desire to be federally united into one Dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a Constitution similar in principle to that of the United Kingdom:

And whereas such a Union would conduce to the welfare of the Provinces and promote the interests of the British Empire:

And whereas on the establishment of the Union by authority of Parliament it is expedient, not only that the Constitution of the Legislative Authority in the Dominion be provided for, but also that the nature of the Executive Government therein be declared:

And whereas it is expedient that provision be made for the eventual admission into the Union of other parts of British North America:

Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

#### I.—PRELIMINARY

1. This Act may be cited as *The British North America Act, 1867*.
2. The provisions of this Act referring to Her Majesty the Queen extend also to the heirs and successors of Her Majesty, Kings and Queens of the United Kingdom of Great Britain and Ireland.

*Short title*

*Application of provisions referring to the Queen*

#### II.—UNION

3. It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, to declare by Proclamation that on and after a day herein appointed, not being more than six months after the passing of this Act, the Provinces of Canada, Nova Scotia, and New Brunswick shall form and be one Dominion under the name of Canada; and on and after that day those three

*Declaration by proclamation of Union of Canada, Nova Scotia and New Brunswick, into one Dominion*

*under name of  
Canada*

Provinces shall form and be one Dominion under that name accordingly.

*Commencement  
of subsequent  
provisions of  
Act.*

*Meaning of  
Canada in such  
provisions*

4. The subsequent provisions of this Act shall, unless it is otherwise expressed or implied, commence and have effect on and after the Union, that is to say, on and after the day appointed for the Union taking effect in the Queen's Proclamation; and in the same provisions, unless it is otherwise expressed or implied, the name Canada shall be taken to mean Canada as constituted under this Act.

*Four Provinces*

5. Canada shall be divided into four Provinces, named Ontario, Quebec, Nova Scotia, and New Brunswick.

*Provinces of  
Ontario and  
Quebec*

6. The parts of the Province of Canada (as it exists at the passing of this Act) which formerly constituted respectively the Provinces of Upper Canada and Lower Canada shall be deemed to be severed, and shall form two separate Provinces. The part which formerly constituted the Province of Upper Canada shall constitute the Province of Ontario, and the part which formerly constituted the Province of Lower Canada shall constitute the Province of Quebec.

*Provinces of  
Nova Scotia  
and New  
Brunswick*

7. The Provinces of Nova Scotia and New Brunswick shall have the same limits as at the passing of this Act.

*Population of  
Provinces to be  
distinguished  
in decennial  
census*

8. In the general census of the population of Canada which is hereby required to be taken in the year one thousand eight hundred and seventy-one, and in every tenth year thereafter, the respective populations of the four Provinces shall be distinguished.

*Executive  
Power to  
continue vested  
in the Queen*

### III.—EXECUTIVE POWER

9. The Executive Government and authority of and over Canada is hereby declared to continue and be vested in the Queen.

*Application  
of provisions  
referring to  
Governor-  
General*

10. The provisions of this Act referring to the Governor-General extend and apply to the Governor-General for the time being of Canada, or other the Chief Executive Officer or Administrator for the time being carrying on the Government of Canada on behalf and in the name of the Queen, by whatever title he is designated.

*Constitution of  
Privy Council  
for Canada*

11. There shall be a Council to aid and advise in the Government of Canada, to be styled the Queen's Privy Council for Canada; and the persons who are to be members of that Council shall be from time to time chosen and summoned by the Governor-General and sworn in as Privy Councillors, and members thereof may be from time to time removed by the Governor-General.

*All powers  
under Acts to  
be exercised by  
Governor-  
General with  
advice of  
Privy Council,  
or alone*

12. All powers, authorities, and functions, which under any Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick, are at the Union vested in or exercisable by the respective Governors or Lieutenant-Governors of those Provinces, with the advice, or with the advice and consent, of the respective Executive



Councils thereof, or in conjunction with those Councils, or with any number of members thereof, or by those Governors, or Lieutenant-Governors individually, shall, as far as the same continue in existence and capable of being exercised after the Union in relation to the Government of Canada, be vested in and exercisable by the Governor-General, with the advice or with the advice and consent of or in connection with the Queen's Privy Council for Canada, or any members thereof, or by the Governor-General individually, as the case requires, subject nevertheless (except with respect to such as exist under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland) to be abolished or altered by the Parliament of Canada.

13. The provisions of this Act referring to the Governor-General in Council shall be construed as referring to the Governor-General acting by and with the advice of the Queen's Privy Council for Canada.

*Application of provisions referring to Governor-General in Council*

14. It shall be lawful for the Queen, if Her Majesty thinks fit, to authorize the Governor-General from time to time to appoint any person or any persons jointly or severally to be his Deputy or Deputies within any part or parts of Canada, and in that capacity to exercise during the pleasure of the Governor-General such of the powers, authorities, and functions of the Governor-General as the Governor-General deems it necessary or expedient to assign to him or them, subject to any limitations or directions expressed or given by the Queen; but the appointment of such a Deputy or Deputies shall not affect the exercise by the Governor-General himself of any power, authority or function.

*Power to Her Majesty to authorize Governor-General to appoint Deputies*

15. The Command-in-Chief of the Land and Naval Militia, and of all Naval and Military Forces, of and in Canada, is hereby declared to continue and be vested in the Queen.

*Command of armed forces to continue to be vested in the Queen*

16. Until the Queen otherwise directs the seat of Government of Canada shall be Ottawa.

*Seat of Government of Canada*

#### IV.—LEGISLATIVE POWER

17. There shall be one Parliament for Canada, consisting of the Queen, an Upper House, styled the Senate, and the House of Commons.

*Constitution of Parliament of Canada*

[Section 18 was repealed by imperial Act 38 & 39 Vict., c. 38, and the following section substituted therefor.

18. The privileges, immunities, and powers to be held, enjoyed and exercised by the Senate and by the House of Commons and by the members thereof respectively shall be such as are from time to time defined by Act of the Parliament of Canada, but so that any Act of the Parliament of Canada defining such privileges, immunities and powers shall not confer any privileges, immunities or powers exceeding those at the passing of such Act held, enjoyed, and exer-

*Privileges, etc., of Houses*

cised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof.]

*First Session of  
the Parliament  
of Canada*

19. The Parliament of Canada shall be called together not later than six months after the Union.

*Yearly Session  
of the  
Parliament of  
Canada*

20. There shall be a Session of the Parliament of Canada once at least in every year, so that twelve months shall not intervene between the last sitting of the Parliament in one Session and its first sitting in the next Session.

### *The Senate*

*Number of  
Senators*

21. The Senate shall, subject to the provisions of this Act, consist of seventy-two members, who shall be styled Senators.

*Representation  
of Provinces in  
Senate*

22. In relation to the constitution of the Senate, Canada shall be deemed to consist of three divisions—

1. Ontario;
2. Quebec;
3. The Maritime Provinces, Nova Scotia and New Brunswick; which three divisions shall (subject to the provisions of this Act) be equally represented in the Senate as follows: Ontario by twenty-four Senators; Quebec by twenty-four Senators; and the Maritime Provinces by twenty-four Senators, twelve thereof representing Nova Scotia, and twelve thereof representing New Brunswick.

In the case of Quebec each of the twenty-four Senators representing that Province shall be appointed for one of the twenty-four Electoral Divisions of Lower Canada specified in Schedule A. to chapter one of the Consolidated Statutes of Canada.

*Qualifications  
of Senator*

23. The qualifications of a Senator shall be as follows:—

1. He shall be of the full age of thirty years;
2. He shall be either a natural-born subject of the Queen, or a subject of the Queen naturalized by an Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of one of the Provinces of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick, before the Union, or of the Parliament of Canada after the Union;
3. He shall be legally or equitably seised as of freehold for his own use and benefit of lands or tenements held in free and common socage, or seised or possessed for his own use and benefit of lands or tenements held in franc-aleu or in rotture, within the Province for which he is appointed, of the value of \$4,000, over and above all rents, dues, debts, charges, mortgages and incumbrances due or payable out of or charged on or affecting the same;
4. His real and personal property shall be together worth \$4,000, over and above his debts and liabilities;

5. He shall be resident in the Province for which he is appointed;
6. In the case of Quebec he shall have his real property qualification in the Electoral Division for which he is appointed, or shall be resident in that Division.
24. The Governor-General shall from time to time, in the Queen's name, by instrument under the Great Seal of Canada, summon qualified persons to the Senate; and, subject to the provisions of this Act, every person so summoned shall become and be a member of the Senate and a Senator. *Summoning of Senators*
25. Such persons shall be first summoned to the Senate as the Queen by warrant under Her Majesty's Royal Sign Manual thinks fit to approve, and their names shall be inserted in the Queen's Proclamation of Union. *Summons of first body of Senators*
26. If at any time on the recommendation of the Governor-General the Queen thinks fit to direct that three or six members be added to the Senate, the Governor-General may by summons to three or six qualified persons (as the case may be), representing equally the three divisions of Canada, add to the Senate accordingly. *Additions of Senators in certain cases*
27. In case of such addition being at any time made the Governor-General shall not summon any person to the Senate, except on a further like direction by the Queen on the like recommendation, until each of the three divisions of Canada is represented by twenty-four Senators and no more. *Reduction of Senate to normal number*
28. The number of Senators shall not at any time exceed seventy-eight. *Maximum number of Senators*
29. A Senator shall, subject to the provisions of this Act, hold his place in the Senate for life. *Tenure of place in Senate*
30. A Senator may by writing under his hand addressed to the Governor-General resign his place in the Senate, and thereupon the same shall be vacant. *Resignation of place in Senate*
31. The place of a Senator shall become vacant in any of the following cases: *Disqualification of Senators*
  1. If for two consecutive Sessions of the Parliament he fails to give his attendance in the Senate;
  2. If he takes an oath or makes a declaration or acknowledgment of allegiance, obedience, or adherence to a foreign power, or does an act whereby he becomes a subject or citizen, or entitled to the rights or privileges of a subject or citizen, of a foreign power;
  3. If he is adjudged bankrupt or insolvent, or applies for the benefit of any law relating to insolvent debtors, or becomes a public defaulter;
  4. If he is attainted of treason or convicted of felony or of any infamous crime;
  5. If he ceases to be qualified in respect of property or of residence; provided, that a Senator shall not be deemed to have ceased to be qualified in respect of residence by reason only of his



residing at the seat of the Government of Canada while holding an office under that Government requiring his presence there.

*Summons on  
vacancy in  
Senate*

32. When a vacancy happens in the Senate by resignation, death, or otherwise, the Governor-General shall by summons to a fit and qualified person fill the vacancy.

*Questions as to  
qualifications  
and vacancies  
in Senate*

33. If any question arises respecting the qualification of a Senator or a vacancy in the Senate, the same shall be heard and determined by the Senate.

*Appointment  
of Speaker of  
Senate*

34. The Governor-General may from time to time, by instrument under the Great Seal of Canada, appoint a Senator to be Speaker of the Senate, and may remove him and appoint another in his stead.

*Quorum of  
Senate*

35. Until the Parliament of Canada otherwise provides, the presence of at least fifteen Senators, including the Speaker, shall be necessary to constitute a meeting of the Senate for the exercise of its powers.

*Voting in  
Senate*

36. Questions arising in the Senate shall be decided by a majority of voices, and the Speaker shall in all cases have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

### *The House of Commons*

*Constitution  
of House of  
Commons in  
Canada*

37. The House of Commons shall, subject to the provisions of this Act, consist of one hundred and eighty-one members, of whom eighty-two shall be elected for Ontario, sixty-five for Quebec, nineteen for Nova Scotia and fifteen for New Brunswick.

*Summoning of  
House of  
Commons*

38. The Governor-General shall from time to time, in the Queen's name, by instrument under the Great Seal of Canada, summon and call together the House of Commons.

*Senators  
not to sit in  
House of  
Commons*

39. A Senator shall not be capable of being elected or of sitting or voting as a member of the House of Commons.

*Electoral  
districts of the  
four Provinces*

40. Until the Parliament of Canada otherwise provides, Ontario, Quebec, Nova Scotia, and New Brunswick shall, for the purposes of the election of members to serve in the House of Commons, be divided into Electoral Districts as follows:—

#### I.—ONTARIO

Ontario shall be divided into the Counties, Ridings of Counties, Cities, parts of Cities, and Towns enumerated in the first Schedule to this Act, each whereof shall be an Electoral District, each such District as numbered in that Schedule being entitled to return one member.

#### 2.—QUEBEC

Quebec shall be divided into sixty-five Electoral Districts, composed of the sixty-five Electoral Divisions into which Lower Canada is at the passing of this Act divided under chapter two of the Con-

solidated Statutes of Canada, chapter seventy-five of the Consolidated Statutes of Lower Canada, and the Act of the Province of Canada of the twenty-third year of the Queen, chapter one, or any other Act amending the same in force at the Union, so that each such Electoral Division shall be for the purposes of this Act an Electoral District entitled to return one member.

### 3.—NOVA SCOTIA

Each of the eighteen Counties of Nova Scotia shall be an Electoral District. The County of Halifax shall be entitled to return two members, and each of the other Counties one member.

### 4.—NEW BRUNSWICK

Each of the fourteen Counties into which New Brunswick is divided, including the City and County of St. John, shall be an Electoral District; the City of St. John shall also be a separate Electoral District. Each of those fifteen Electoral Districts shall be entitled to return one member.

41. Until the Parliament of Canada otherwise provides, all laws in force in the several Provinces at the Union relative to the following matters or any of them, namely,—the qualifications and disqualifications of persons to be elected or to sit or vote as members of the House of Assembly or Legislative Assembly in the several Provinces, the voters at elections of such members, the oaths to be taken by voters, the Returning Officers, their powers and duties, the proceedings at elections, the periods during which elections may be continued, the trial of controverted elections, and proceedings incident thereto, the vacating of seats of members, and the execution of new writs in case of seats vacated otherwise than by dissolution,—shall respectively apply to elections of members to serve in the House of Commons for the same several Provinces.

*Continuance  
of existing  
election laws  
until  
Parliament  
of Canada  
otherwise  
provides*

Provided that, until the Parliament of Canada otherwise provides, at any election for a Member of the House of Commons for the District of Algoma, in addition to persons qualified by the law of the Province of Canada to vote, every male British subject aged twenty-one years or upwards, being a householder, shall have a vote.

42. For the first election of members to serve in the House of Commons the Governor-General shall cause writs to be issued by such persons, in such form, and addressed to such Returning Officers as he thinks fit.

*Writs for first  
election*

The person issuing writs under this section shall have the like powers as are possessed at the Union by the officers charged with the issuing of writs for the election of members to serve in the respective House of Assembly or Legislative Assembly of the Province of Canada, Nova Scotia, or New Brunswick; and the Returning Officers to whom writs are directed under this section shall have the like powers as are possessed at the Union by the officers charged with

*As to vacancies  
before meeting  
of Parliament  
or before  
provision is  
made by  
Parliament  
in this behalf*

the returning of writs for the election of members to serve in the same respective House of Assembly or Legislative Assembly.

43. In case a vacancy in the representation in the House of Commons of any Electoral District happens before the meeting of the Parliament, or after the meeting of the Parliament before provision is made by the Parliament in this behalf, the provisions of the last foregoing section of this Act shall extend and apply to the issuing and returning of a writ in respect of such vacant District.

*As to election  
of Speaker of  
House of  
Commons*

44. The House of Commons on its first assembling after a general election shall proceed with all practicable speed to elect one of its members to be Speaker.

*As to filling up  
vacancy  
in office of  
Speaker*

45. In case of a vacancy happening in the office of Speaker by death, resignation or otherwise, the House of Commons shall with all practicable speed proceed to elect another of its members to be Speaker.

*Speaker to  
preside*

46. The Speaker shall preside at all meetings of the House of Commons.

*Provision  
in case of  
absence of  
Speaker*

47. Until the Parliament of Canada otherwise provides, in case of the absence for any reason of the Speaker from the chair of the House of Commons for a period of forty-eight consecutive hours, the House may elect another of its members to act as Speaker, and the member so elected shall during the continuance of such absence of the Speaker have and execute all the powers, privileges, and duties of Speaker.

*Quorum of  
House of  
Commons*

48. The presence of at least twenty members of the House of Commons shall be necessary to constitute a meeting of the House for the exercise of its powers, and for that purpose the Speaker shall be reckoned as a member.

*Voting in  
House of  
Commons*

49. Questions arising in the House of Commons shall be decided by a majority of voices other than that of the Speaker, and when the voices are equal, but not otherwise, the Speaker shall have a vote.

*Duration of  
House of  
Commons*

50. Every House of Commons shall continue for five years from the day of the return of the writs for choosing the House (subject to be sooner dissolved by the Governor-General), and no longer.

*Decennial Re-  
adjustment of  
Representation*

51. On the completion of the census in the year one thousand eight hundred and seventy-one, and of each subsequent decennial census, the representation of the four Provinces shall be re-adjusted by such authority, in such manner and from such time as the Parliament of Canada from time to time provides, subject and according to the following rules:—

1. Quebec shall have the fixed number of sixty-five members.
2. There shall be assigned to each of the other Provinces such a number of members as will bear the same proportion to the number of its population (ascertained at such census) as the number of sixty-five bears to the number of the population of Quebec (so ascertained).
3. In the computation of the number of members for a Province



a fractional part not exceeding one-half of the whole number requisite for entitling the Province to a member shall be disregarded; but a fractional part exceeding one-half of that number shall be equivalent to the whole number.

4. On any such re-adjustment the number of members for a Province shall not be reduced unless the proportion which the number of the population of the Province bore to the number of the aggregate population of Canada at the then last preceding re-adjustment of the number of members for the Province is ascertained at the then latest census to be diminished by one-twentieth part or upwards.
5. Such re-adjustment shall not take effect until the termination of the then existing Parliament.
52. The number of members of the House of Commons may be from time to time increased by the Parliament of Canada, provided the proportionate representation of the Provinces prescribed by this Act is not thereby disturbed.

*Increase of  
number of  
House of  
Commons*

#### *Money Votes; Royal Assent*

53. Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons.

*Appropriation  
and tax bills*

54. It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address, or bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended to that House by message of the Governor-General in the Session in which such vote, resolution, address, or bill is proposed.

*Recommendation  
of money votes*

55. Where a bill passed by the Houses of the Parliament is presented to the Governor-General for the Queen's assent, he shall declare according to his discretion, but subject to the provisions of this Act and to Her Majesty's instructions, either that he assents thereto in the Queen's name, or that he withholds the Queen's assent, or that he reserves the bill for the signification of the Queen's pleasure.

*Royal assent  
to bills, etc.*

56. Where the Governor-General assents to a bill in the Queen's name, he shall by the first convenient opportunity send an authentic copy of the Act to one of Her Majesty's Principal Secretaries of State; and if the Queen in Council within two years after the receipt thereof by the Secretary of State thinks fit to disallow the Act, such disallowance (with a certificate of the Secretary of State of the day on which the Act was received by him) being signified by the Governor-General by speech or message to each of the Houses of the Parliament, or by proclamation, shall annul the Act from and after the day of such signification.

*Disallowance  
by Order in  
Council of Act,  
assented to by  
Governor-  
General*

57. A bill reserved for the signification of the Queen's pleasure shall not have any force unless and until within two years from the day on which it was presented to the Governor-General for the Queen's assent, the Governor-General signifies, by speech or message

*Signification  
of Queen's  
pleasure on  
bill reserved*

to each of the Houses of the Parliament or by proclamation, that it has received the assent of the Queen in Council.

An entry of every such speech, message, or proclamation shall be made in the Journal of each House, and a duplicate thereof duly attested shall be delivered to the proper officer to be kept among the Records of Canada.

## V.—PROVINCIAL CONSTITUTIONS

### *Executive Power*

*Appointment of  
Lieutenant-  
Governors of  
Provinces*

58. For each Province there shall be an officer, styled the Lieutenant-Governor, appointed by the Governor-General in Council by instrument under the Great Seal of Canada.

*Tenure of  
office of  
Lieutenant-  
Governor*

59. A Lieutenant-Governor shall hold office during the pleasure of the Governor-General; but any Lieutenant-Governor appointed after the commencement of the first Session of the Parliament of Canada shall not be removable within five years from his appointment, except for cause assigned, which shall be communicated to him in writing within one month after the order for his removal is made, and shall be communicated by message to the Senate and to the House of Commons within one week thereafter if the Parliament is then sitting, and if not then within one week after the commencement of the next Session of the Parliament.

*Salaries of  
Lieutenant-  
Governors*

60. The salaries of the Lieutenant-Governors shall be fixed and provided by the Parliament of Canada.

*Oaths, etc., of  
Lieutenant-  
Governor*

61. Every Lieutenant-Governor shall, before assuming the duties of his office, make and subscribe before the Governor-General or some person authorized by him, oaths of allegiance and office similar to those taken by the Governor-General.

*Application of  
provisions  
referring to  
Lieutenant-  
Governor*

62. The provisions of this Act referring to the Lieutenant-Governor extend and apply to the Lieutenant-Governor for the time being of each Province or other the chief executive officer or administrator for the time being carrying on the government of the Province, by whatever title he is designated.

*Appointments  
of executive  
officers for  
Ontario and  
Quebec*

63. The Executive Council of Ontario and of Quebec shall be composed of such persons as the Lieutenant-Governor from time to time thinks fit, and in the first instance of the following officers, namely:—the Attorney-General, the Secretary and Registrar of the Province, the Treasurer of the Province, the Commissioner of Crown Lands, and the Commissioner of Agriculture and Public Works, with, in Quebec, the Speaker of the Legislative Council and the Solicitor-General.

*Government of  
Nova Scotia  
and New  
Brunswick*

64. The Constitution of the Executive Authority in each of the Provinces of Nova Scotia and New Brunswick shall, subject to the provisions of this Act, continue as it exists at the Union, until altered under the authority of this Act.

65. All powers, authorities, and functions which under any Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of Upper Canada, Lower Canada, or Canada, were or are before or at the Union vested in or exercisable by the respective Governors or Lieutenant-Governors of those Provinces, with the advice, or with the advice and consent, of the respective Executive Councils thereof, or in conjunction with those Councils or with any number of members thereof, or by those Governors or Lieutenant-Governors individually, shall, as far as the same are capable of being exercised after the Union in relation to the Government of Ontario and Quebec respectively, be vested in and shall or may be exercised by the Lieutenant-Governor of Ontario and Quebec respectively, with the advice or with the advice and consent of, or in conjunction with the respective Executive Councils, or any members thereof, or by the Lieutenant-Governor individually, as the case requires, subject nevertheless (except with respect to such as exist under Acts of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland) to be abolished or altered by the respective Legislatures of Ontario and Quebec.

*All powers under Acts to be exercised by Lieutenant-Governor of Ontario or Quebec with advice of Executive Council or alone*

66. The provisions of this Act referring to the Lieutenant-Governor in Council shall be construed as referring to the Lieutenant-Governor of the Province acting by and with the advice of the Executive Council thereof.

*Application of provisions referring to Lieutenant-Governor in Council*

67. The Governor-General in Council may from time to time appoint an administrator to execute the office and functions of Lieutenant-Governor during his absence, illness, or other inability.

*Administration in absence, etc., of Lieutenant-Governor*

68. Unless and until the Executive Government of any Province otherwise directs with respect to that Province, the seats of Government of the Provinces shall be as follows, namely,—of Ontario, the City of Toronto; of Quebec, the City of Quebec; of Nova Scotia, the City of Halifax; and of New Brunswick, the City of Fredericton.

*Seats of Provincial Governments*

### *Legislative Power*

#### I.—ONTARIO

69. There shall be a Legislature for Ontario consisting of the Lieutenant-Governor and of one House, styled the Legislative Assembly of Ontario.

*Legislature for Ontario*

70. The Legislative Assembly of Ontario shall be composed of eighty-two members to be elected to represent the eighty-two Electoral Districts set forth in the first Schedule to this Act.

*Electoral districts*

#### 2.—QUEBEC

71. There shall be a Legislature for Quebec consisting of the Lieutenant-Governor and of two Houses, styled the Legislative Council of Quebec and the Legislative Assembly of Quebec.

*Legislature for Quebec*



*Constitution  
of Legislative  
Council*

72. The Legislative Council of Quebec shall be composed of twenty-four members, to be appointed by the Lieutenant-Governor in the Queen's name by Instrument under the Great Seal of Quebec, one being appointed to represent each of the twenty-four electoral divisions of Lower Canada in this Act referred to, and each holding office for the term of his life, unless the Legislature of Quebec otherwise provides under the provisions of this Act.

*Qualification  
of Legislative  
Councillors*

73. The qualifications of the Legislative Councillors of Quebec shall be the same as those of the Senators for Quebec.

*Resignation,  
Disqualification,  
etc.*

74. The place of a Legislative Councillor of Quebec shall become vacant in the cases *mutatis mutandis*, in which the place of Senator becomes vacant.

*Vacancies*

75. When a vacancy happens in the Legislative Council of Quebec, by resignation, death, or otherwise, the Lieutenant-Governor, in the Queen's name by Instrument under the Great Seal of Quebec, shall appoint a fit and qualified person to fill the vacancy.

*Questions as to  
Vacancies, etc.*

76. If any question arises respecting the qualification of a Legislative Councillor of Quebec, or a vacancy in the Legislative Council of Quebec, the same shall be heard and determined by the Legislative Council.

*Speaker of  
Legislative  
Council*

77. The Lieutenant-Governor may from time to time, by Instrument under the Great Seal of Quebec, appoint a member of the Legislative Council of Quebec to be Speaker thereof, and may remove him and appoint another in his stead.

*Quorum of  
Legislative  
Council*

78. Until the Legislature of Quebec otherwise provides, the presence of at least ten members of the Legislative Council, including the Speaker, shall be necessary to constitute a meeting for the exercise of its powers.

*Voting in  
Legislative  
Council*

79. Questions arising in the Legislative Council of Quebec shall be decided by a majority of voices, and the Speaker shall in all cases have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

*Constitution  
of Legislative  
Assembly of  
Quebec*

80. The Legislative Assembly of Quebec shall be composed of sixty-five members, to be elected to represent the sixty-five electoral divisions or districts of Lower Canada in this Act referred to, subject to alteration thereof by the Legislature of Quebec: Provided that it shall not be lawful to present to the Lieutenant-Governor of Quebec for assent any bill for altering the limits of any of the Electoral Divisions or Districts mentioned in the second Schedule to this Act, unless the second and third readings of such bill have been passed in the Legislative Assembly with the concurrence of the majority of the members representing all those Electoral Divisions or Districts, and the assent shall not be given to such bill unless an address has been presented by the Legislative Assembly to the Lieutenant-Governor stating that it has been so passed.

## 3.—ONTARIO AND QUEBEC

81. The Legislatures of Ontario and Quebec respectively shall be called together not later than six months after the Union. *First Session of Legislatures*

82. The Lieutenant-Governor of Ontario and of Quebec shall, from time to time, in the Queen's name, by Instrument under the Great Seal of the Province, summon and call together the Legislative Assembly of the Province. *Summoning of Legislative Assemblies*

83. Until the Legislature of Ontario or of Quebec otherwise provides, a person accepting or holding in Ontario or in Quebec any office, commission, or employment, permanent or temporary, at the nomination of the Lieutenant-Governor, to which an annual salary, or any fee, allowance, emolument, or profit of any kind or amount whatever from the Province is attached, shall not be eligible as a member of the Legislative Assembly of the respective Province, nor shall he sit or vote as such; but nothing in this Section shall make ineligible any person being a member of the Executive Council of the respective Province, or holding any of the following offices, that is to say, the offices of Attorney-General, Secretary and Registrar of the Province, Treasurer of the Province, Commissioner of Crown Lands, and Commissioner of Agriculture and Public Works, and, in Quebec, Solicitor-General, or shall disqualify him to sit or vote in the House for which he is elected, provided he is elected while holding such office. *Restriction on election of holders of office*

84. Until the Legislatures of Ontario and Quebec respectively otherwise provide, all laws which at the Union are in force in those Provinces respectively, relative to the following matters, or any of them, namely,—the qualifications and disqualifications of persons to be elected or to sit or vote as members of the Assembly of Canada, the qualifications or disqualifications of voters, the oaths to be taken by voters, the Returning Officers, their powers and duties, the proceedings at elections, the periods during which such elections may be continued, and the trial of controverted elections and the proceedings incident thereto, the vacating of the seats of members and the issuing and execution of new writs in case of seats vacated otherwise than by dissolution, shall respectively apply to elections of members to serve in the respective Legislative Assemblies of Ontario and Quebec. *Continuance of existing election laws*

Provided that until the Legislature of Ontario otherwise provides, at any election for a member of the Legislative Assembly of Ontario for the District of Algoma, in addition to persons qualified by the law of the Province of Canada to vote, every male British Subject, aged twenty-one years or upwards, being a householder, shall have a vote.

85. Every Legislative Assembly of Ontario and every Legislative Assembly of Quebec shall continue for four years from the day of the

*Duration of  
Legislative  
Assemblies*

return of the writs for choosing the same (subject nevertheless to either the Legislative Assembly of Ontario or the Legislative Assembly of Quebec being sooner dissolved by the Lieutenant-Governor of the Province), and no longer.

*Yearly Sessions  
of Legislature*

86. There shall be a Session of the Legislature of Ontario and of that of Quebec once at least in every year, so that twelve months shall not intervene between the last sitting of the Legislature in each Province in one Session and its first sitting in the next Session.

*Speaker,  
Quorum, etc.*

87. The following provisions of this Act respecting the House of Commons of Canada shall extend and apply to the Legislative Assemblies of Ontario and Quebec, that is to say,—the provisions relating to the election of a Speaker originally and on vacancies, the duties of the Speaker, the absence of the Speaker, the quorum, and the mode of voting, as if those provisions were here re-enacted and made applicable in terms to each such Legislative Assembly.

#### 4.—NOVA SCOTIA AND NEW BRUNSWICK

*Constitutions  
of Legislatures  
of Nova Scotia  
and New  
Brunswick*

88. The constitution of the Legislature of each of the Provinces of Nova Scotia and New Brunswick shall, subject to the provisions of this Act, continue as it exists at the Union until altered under the authority of this Act; and the House of Assembly of New Brunswick existing at the passing of this Act shall, unless sooner dissolved, continue for the period for which it was elected.

#### 5.—ONTARIO, QUEBEC, AND NOVA SCOTIA

*First elections*

89. Each of the Lieutenant-Governors of Ontario, Quebec, and Nova Scotia shall cause writs to be issued for the first election of members of the Legislative Assembly thereof in such form and by such person as he thinks fit, and at such time and addressed to such Returning Officer as the Governor-General directs, and so that the first election of members of Assembly for any Electoral District or any subdivision thereof shall be held at the same time and at the same places as the election for a member to serve in the House of Commons of Canada for that Electoral District.

#### 6.—THE FOUR PROVINCES

*Application  
to Legislatures  
of provisions  
respecting  
money votes,  
etc.*

90. The following provisions of this Act respecting the Parliament of Canada, namely,—the provisions relating to appropriation and tax bills, the recommendation of money votes, the assent to bills, the disallowance of Acts, and the signification of pleasure on bills reserved,—shall extend and apply to the Legislatures of the several Provinces as if those provisions were here re-enacted and made applicable in terms to the respective Provinces and the Legislatures thereof, with the substitution of the Lieutenant-Governor of the Province for the Governor-General, of the Governor-General for



the Queen and for a Secretary of State, of one year for two years, and of the Province for Canada.

## VI.—DISTRIBUTION OF LEGISLATIVE POWERS

### *Powers of the Parliament*

91. It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this Act) the exclusive Legislative Authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated, that is to say:—

*Legislative  
authority of  
Parliament  
of Canada*

1. The Public Debt and Property.
2. The regulation of Trade and Commerce.
3. The raising of money by any mode or system of Taxation.
4. The borrowing of money on the public credit.
5. Postal service.
6. The Census and Statistics.
7. Militia, Military and Naval Service, and Defence.
8. The fixing of and providing for the salaries and allowances of civil and other officers of the Government of Canada.
9. Beacons, Buoys, Lighthouses, and Sable Island.
10. Navigation and Shipping.
11. Quarantine and the establishment and maintenance of Marine Hospitals.
12. Sea Coast and Inland Fisheries.
13. Ferries between a Province and any British or Foreign country or between two Provinces.
14. Currency and Coinage.
15. Banking, incorporation of banks, and the issue of paper money.
16. Savings Banks.
17. Weights and Measures.
18. Bills of Exchange and Promissory Notes.
19. Interest.
20. Legal tender.
21. Bankruptcy and Insolvency.
22. Patents of Invention and Discovery.
23. Copyrights.
24. Indians, and lands reserved for the Indians.
25. Naturalization and Aliens.
26. Marriage and Divorce.
27. The Criminal Law, except the Constitution of Courts of Criminal Jurisdiction, but including the Procedure in Criminal Matters.

28. The establishment, maintenance, and management of Penitentiaries.
29. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces:

And any matter coming within any of the classes of subjects enumerated in this section shall not be deemed to come within the class of matters of a local or private nature comprised in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces.

*Exclusive Powers of Provincial Legislatures*

*Exclusive  
Provincial  
Legislation*

92. In each Province the Legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say,—

1. The amendment from time to time, notwithstanding anything in this Act, of the Constitution of the Province, except as regards the office of Lieutenant-Governor.
2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial purposes.
3. The borrowing of money on the sole credit of the Province.
4. The establishment and tenure of Provincial offices and the appointment and payment of Provincial officers.
5. The management and sale of the Public Lands belonging to the Province, and of the timber and wood thereon.
6. The establishment, maintenance, and management of public and reformatory prisons in and for the Province.
7. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the Province, other than marine hospitals.
8. Municipal institutions in the Province.
9. Shop, saloon, tavern, auctioneer, and other licenses, in order to the raising of a revenue for Provincial, local, or municipal purposes.
10. Local works and undertakings other than such as are of the following classes,—
  - a. Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the Province with any other or others of the Provinces, or extending beyond the limits of the Province;
  - b. Lines of steam ships between the Province and any British or Foreign country;
  - c. Such works as, although wholly situate within the Province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the Provinces.
11. The incorporation of companies with Provincial objects.

12. The solemnization of marriage in the Province.
13. Property and civil rights in the Province.
14. The administration of justice in the Province, including the constitution, maintenance, and organization of Provincial Courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those Courts.
15. The imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the Province made in relation to any matter coming within any of the classes of subjects enumerated in this section.
16. Generally all matters of a merely local or private nature in the Province.

*Education*

93. In and for each Province the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:—

*Legislation  
respecting  
education*

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the union.
2. All the powers, privileges, and duties at the union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec.
3. Where in any Province a system of separate or dissentient schools exists by law at the Union or is thereafter established by the Legislature of the Province, an appeal shall lie to the Governor-General in Council from any Act or decision of any Provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.
4. In case any such Provincial law as from time to time seems to the Governor-General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor-General in Council on any appeal under this section is not duly executed by the proper Provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the Governor-General in Council under this section.

*Uniformity of Laws in Ontario, Nova Scotia and  
New Brunswick*

94. Notwithstanding anything in this Act, the Parliament of Canada may make provisions for the uniformity of all or any of the



*Legislation for uniformity of laws in the three Provinces as to property and civil rights and uniformity of procedure in Courts*

laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and of the procedure of all or any of the Courts in those three Provinces; and from and after the passing of any Act in that behalf the power of the Parliament of Canada to make laws in relation to any matter comprised in any such Act shall, notwithstanding anything in this Act, be unrestricted; but any Act of the Parliament of Canada making provision for such uniformity shall not have effect in any Province unless and until it is adopted and enacted as law by the Legislature thereof.

### *Agriculture and Immigration*

*Concurrent powers of Legislation respecting agriculture and immigration*

95. In each Province the Legislature may make laws in relation to Agriculture in the Province, and to Immigration into the Province; and it is hereby declared that the Parliament of Canada may from time to time make laws in relation to Agriculture in all or any of the Provinces, and to Immigration into all or any of the Provinces; and any law of the Legislature of a Province relative to Agriculture or to Immigration shall have effect in and for the Province as long and as far only as it is not repugnant to any Act of the Parliament of Canada.

### VII.—JUDICATURE

*Appointment of Judges*

96. The Governor-General shall appoint the Judges of the Superior, District, and County Courts in each Province, except those of the Courts of Probate in Nova Scotia and New Brunswick.

*Selection of Judges in Ontario, etc.*

97. Until the laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and the procedure of the Courts of those Provinces, are made uniform, the Judges of the Courts of those Provinces appointed by the Governor-General shall be selected from the respective Bars of those Provinces.

*Selection of Judges in Quebec*

98. The Judges of the Courts of Quebec shall be selected from the Bar of that Province.

*Tenure of office of Judges of Superior Courts*

99. The Judges of the Superior Courts shall hold office during good behaviour, but shall be removable by the Governor-General on address of the Senate and House of Commons.

*Salaries, etc., of Judges*

100. The salaries, allowances and pensions of the Judges of the Superior, District, and County Courts (except the Courts of Probate in Nova Scotia and New Brunswick), and of the Admiralty Courts in cases where the Judges thereof are for the time being paid by salary, shall be fixed and provided by the Parliament of Canada.

*General Court of Appeal, etc.*

101. The Parliament of Canada may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance, and organization of a general Court of Appeal for Canada, and for the establishment of any additional Courts for the better administration of the Laws of Canada.

### VIII.—REVENUES; DEBTS; ASSETS; TAXATION

102. All duties and revenues over which the respective Legislatures of Canada, Nova Scotia, and New Brunswick before and at the

Union had and have power of appropriation, except such portions thereof as are by this Act reserved to the respective Legislatures of the Provinces, or are raised by them in accordance with the special powers conferred on them by this Act, shall form one Consolidated Revenue Fund, to be appropriated for the public service of Canada in the manner and subject to the charges in this Act provided.

*Creation of Consolidated Revenue Fund*

103. The Consolidated Revenue Fund of Canada shall be permanently charged with the costs, charges, and expenses incident to the collection, management, and receipt thereof, and the same shall form the first charge thereon, subject to be reviewed and audited in such manner as shall be ordered by the Governor-General in Council until the Parliament otherwise provides.

*Expenses of collection, etc.*

104. The annual interest of the public debts of the several Provinces of Canada, Nova Scotia, and New Brunswick at the Union shall form the second charge on the Consolidated Revenue Fund of Canada.

*Interest of Provincial public debts*

105. Unless altered by the Parliament of Canada, the salary of the Governor-General shall be ten thousand pounds sterling money of the United Kingdom of Great Britain and Ireland, payable out of the Consolidated Revenue Fund of Canada, and the same shall form the third charge thereon.

*Salary of Governor-General*

106. Subject to the several payments by this Act charged on the Consolidated Revenue Fund of Canada, the same shall be appropriated by the Parliament of Canada for the public service.

*Appropriation of fund subject to charges*

107. All stocks, cash, banker's balances, and securities for money belonging to each Province at the time of the Union, except as in this Act mentioned, shall be the property of Canada, and shall be taken in reduction of the amount of the respective debts of the Provinces at the Union.

*Transfer to Canada of stocks, etc., belonging to two Provinces*

108. The public works and property of each Province, enumerated in the third Schedule to this Act, shall be the property of Canada.

*Transfer of property in schedule*

109. All lands, mines, minerals, and royalties belonging to the several Provinces of Canada, Nova Scotia and New Brunswick at the Union, and all sums then due or payable for such lands, mines, minerals, or royalties, shall belong to the several Provinces of Ontario, Quebec, Nova Scotia and New Brunswick in which the same are situate or arise, subject to any trusts existing in respect thereof, and to any interest other than of the Province in the same.

*Lands, mines, etc., belonging to Provinces to belong to them*

110. All assets connected with such portions of the public debt of each Province as are assumed by that Province shall belong to that Province.

*Assets connected with Provincial debts*

111. Canada shall be liable for the debts and liabilities of each Province existing at the Union.

*Canada to be liable for Provincial debts*

112. Ontario and Quebec conjointly shall be liable to Canada for the amount (if any) by which the debt of the Province of Canada exceeds at the Union \$62,500,000, and shall be charged with interest at the rate of five per centum per annum thereon.

*Liability of Ontario and Quebec to Canada*

*Assets of  
Ontario and  
Quebec*

113. The assets enumerated in the fourth Schedule to this Act belonging at the Union to the Province of Canada shall be the property of Ontario and Quebec conjointly.

*Liability of  
Nova Scotia  
to Canada*

114. Nova Scotia shall be liable to Canada for the amount (if any) by which its public debt exceeds at the Union \$8,000,000, and shall be charged with interest at the rate of five per centum per annum thereon.

*Liability of  
New Brunswick  
to Canada*

115. New Brunswick shall be liable to Canada for the amount (if any) by which its public debt exceeds at the Union \$7,000,000, and shall be charged with interest at the rate of five per centum per annum thereon.

*Payment of  
interest to  
Nova Scotia  
and New  
Brunswick  
if their public  
debts are less  
than the  
stipulated  
amounts*

116. In case the public debts of Nova Scotia and New Brunswick do not at the Union amount to \$8,000,000 and \$7,000,000 respectively, they shall respectively receive by half-yearly payments in advance from the Government of Canada interest at five per centum per annum on the difference between the actual amounts of their respective debts and such stipulated amounts.

*Provincial  
public property*

117. The several Provinces shall retain all their respective public property not otherwise disposed of in this Act, subject to the right of Canada to assume any lands or public property required for fortifications or for the defence of the country.

*Grants to  
Provinces*

118. The following sums shall be paid yearly by Canada to the several Provinces for the support of their Governments and Legislatures:—

	<i>Dollars</i>
Ontario . . . . .	Eighty thousand
Quebec . . . . .	Seventy thousand
Nova Scotia . . . . .	Sixty thousand
New Brunswick . . . . .	<u>Fifty thousand</u>

Two hundred and sixty thousand

And an annual grant in aid of each Province shall be made, equal to eighty cents per head of the population as ascertained by the Census of 1861, and in case of Nova Scotia and New Brunswick, by each subsequent decennial census, until the population of each of those two Provinces amounts to four hundred thousand souls, at which rate such grant shall thereafter remain. Such grants shall be in full settlement of all future demands on Canada, and shall be paid half-yearly in advance to each Province; but the Government of Canada shall deduct from such grants, as against any Province, all sums chargeable as interest on the Public Debt of that Province in excess of the several amounts stipulated in this Act.

*Further grant  
to New  
Brunswick  
for ten years*

119. New Brunswick shall receive, by half-yearly payments in advance from Canada, for the period of ten years from the Union, an additional allowance of \$63,000 per annum; but as long as the Public Debt of that Province remains under \$7,000,000, a deduction



equal to the interest at five per centum per annum on such deficiency shall be made from that allowance of \$63,000.

120. All payments to be made under this Act, or in discharge in liabilities created under any Act of the Provinces of Canada, Nova Scotia and New Brunswick respectively, and assumed by Canada, shall, until the Parliament of Canada otherwise directs, be made of such form and manner as may from time to time be ordered by the Governor-General in Council. *Form of payments*

121. All articles of the growth, produce, or manufacture of any of the Provinces shall, from and after the Union, be admitted free into each of the other Provinces. *Manufactures, etc., of one Province to be admitted free into the others*

122. The Customs and Excise Laws of each Province shall, subject to the provisions of this Act, continue in force until altered by the Parliament of Canada. *Continuance of Customs and Excise Laws*

123. Where Customs duties are, at the Union, leviable on any goods, wares, or merchandises in any two Provinces, those goods, wares, and merchandises may, from and after the Union, be imported from one of those Provinces into the other of them on proof of payment of the Customs duty leviable thereon in the Province of exportation, and on payment of such further amount (if any) of Customs duty as is leviable thereon in the Province of importation. *Exportation and importation as between two Provinces*

124. Nothing in this Act shall affect the right of New Brunswick to levy the lumber dues provided in chapter fifteen of title three of the Revised Statutes of New Brunswick, or in any Act amending that Act before or after the Union, and not increasing the amount of such dues; but the lumber of any of the Provinces other than New Brunswick shall not be subjected to such dues. *Lumber dues in New Brunswick*

125. No lands or property belonging to Canada or any Province shall be liable to taxation. *Exemption of public lands, etc., from taxation*

126. Such portions of the duties and revenues over which the respective Legislatures of Canada, Nova Scotia and New Brunswick had before the Union power of appropriation as are by this Act reserved to the respective Governments or Legislatures of the Provinces, and all duties and revenues raised by them in accordance with the special powers conferred upon them by this Act, shall in each Province form one Consolidated Revenue Fund to be appropriated for the public service of the Province. *Provincial Consolidated Revenue Funds*

## IX.—MISCELLANEOUS PROVISIONS

### *General*

127. If any person being at the passing of this Act a Member of the Legislative Council of Canada, Nova Scotia, or New Brunswick, to whom a place in the Senate is offered, does not within thirty days thereafter, by writing under his hand, addressed to the Governor-General of the Province of Canada, or to the Lieutenant-Governor of Nova Scotia or New Brunswick (as the case may be), accept the *As to Legislative Councillors of Provinces becoming Senators*

same, he shall be deemed to have declined the same; and any person who, being at the passing of this Act a member of the Legislative Council of Nova Scotia or New Brunswick, accepts a place in the Senate, shall thereby vacate his seat in such Legislative Council.

*Oath of  
allegiance, etc.*

128. Every member of the Senate or House of Commons of Canada shall, before taking his seat therein, take and subscribe before the Governor-General or some person authorized by him, and every member of a Legislative Council or Legislative Assembly of any Province shall, before taking his seat therein, take and subscribe before the Lieutenant-Governor of the Province or some person authorized by him, the oath of allegiance contained in the fifth Schedule to this Act; and every member of the Senate of Canada and every member of the Legislative Council of Quebec shall also, before taking his seat therein, take and subscribe before the Governor-General or some person authorized by him, the declaration of qualification contained in the same Schedule.

*Continuance  
of existing  
laws, courts,  
officers, etc.*

129. Except as otherwise provided by this Act, all laws in force in Canada, Nova Scotia or New Brunswick at the Union, and all Courts of civil and military jurisdiction, and all legal commissions, powers and authorities, and all officers, judicial, administrative and ministerial, existing therein at the Union, shall continue in Ontario, Quebec, Nova Scotia and New Brunswick respectively, as if the Union had not been made; subject nevertheless (except with respect to such as are enacted by or exist under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland) to be repealed, abolished or altered by the Parliament of Canada, or by the Legislature of the respective Province, according to the authority of the Parliament or of that Legislature under this Act.

*Transfer of  
officers to  
Canada*

130. Until the Parliament of Canada otherwise provides, all officers of the several Provinces having duties to discharge in relation to matters other than those coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces shall be officers of Canada, and shall continue to discharge the duties of their respective offices under the same liabilities, responsibilities and penalties as if the Union had not been made.

*Appointment  
of new officers*

131. Until the Parliament of Canada otherwise provides, the Governor-General in Council may from time to time appoint such officers as the Governor-General in Council deems necessary or proper for the effectual execution of this Act.

*Power for  
performance  
of treaty  
obligations  
by Canada  
as part of  
British Empire*

132. The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof, as part of the British Empire, towards foreign countries, arising under treaties between the Empire and such foreign countries.

133. Either the English or the French language may be used by any person in the debates of the Houses of the Parliament of Canada

and of the Houses of the Legislature of Quebec; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any Court of Canada established under this Act, and in or from all or any of the Courts of Quebec.

*Use of English  
and French  
languages*

The Acts of the Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those languages.

*Ontario and Quebec*

134. Until the Legislature of Ontario or of Quebec otherwise provides, the Lieutenant-Governors of Ontario and Quebec may each appoint under the Great Seal of the Province the following officers, to hold office during pleasure, that is to say:—the Attorney-General, the Secretary and Registrar of the Province, the Treasurer of the Province, the Commissioner of Crown Lands, and the Commissioner of Agriculture and Public Works, and in the case of Quebec the Solicitor-General; and may, by order of the Lieutenant-Governor in Council, from time to time prescribe the duties of those officers and of the several departments over which they shall preside or to which they shall belong, and of the officers and clerks thereof; and may also appoint other and additional officers to hold office during pleasure, and may from time to time prescribe the duties of those officers, and of the several departments over which they shall preside or to which they shall belong, and of the officers and clerks thereof.

*Appointment  
of executive  
officers for  
Ontario and  
Quebec*

135. Until the Legislature of Ontario or Quebec otherwise provides, all rights, powers, duties, functions, responsibilities or authorities at the passing of this Act vested in or imposed on the Attorney-General, Solicitor-General, Secretary and Registrar of the Province of Canada, Minister of Finance, Commissioner of Crown Lands, Commissioner of Public Works, and Minister of Agriculture and Receiver-General, by any law, statute or ordinance of Upper Canada, Lower Canada, or Canada, and not repugnant to this Act, shall be vested in or imposed on any officer to be appointed by the Lieutenant-Governor for the discharge of the same or any of them; and the Commissioner of Agriculture and Public Works shall perform the duties and functions of the office of Minister of Agriculture at the passing of this Act imposed by the law of the Province of Canada, as well as those of the Commissioner of Public Works.

*Powers, duties,  
etc., of  
executive  
officers*

136. Until altered by the Lieutenant-Governor in Council, the Great Seals of Ontario and of Quebec respectively shall be the same, or of the same design, as those used in the Provinces of Upper Canada and Lower Canada respectively before their Union as the Province of Canada.

*Great Seals*

137. The words 'and from thence to the end of the then next ensuing Session of the Legislature,' or words to the same effect, used in any temporary Act of the Province of Canada not expired

*Construction  
of temporary  
Acts*



before the Union, shall be construed to extend and apply to the next Session of the Parliament of Canada, if the subject-matter of the Act is within the powers of the same, as defined by this Act, or to the next Sessions of the Legislatures of Ontario and Quebec respectively, if the subject-matter of the Act is within the powers of the same as defined by this Act.

*As to errors in names* 138. From and after the Union, the use of the words 'Upper Canada' instead of 'Ontario,' or 'Lower Canada' instead of 'Quebec,' in any deed, writ, process, pleading, document, matter or thing, shall not invalidate the same.

*As to issue of Proclamations before Union, to commence after Union* 139. Any Proclamation under the Great Seal of the Province of Canada issued before the Union to take effect at a time which is subsequent to the Union, whether relating to that Province, or to Upper Canada, or to Lower Canada, and the several matters and things therein proclaimed, shall be and continue of like force and effect as if the Union had not been made.

*As to issue of Proclamations after Union under authority of Acts before Union* 140. Any Proclamation which is authorized by any Act of the Legislature of the Province of Canada to be issued under the Great Seal of the Province of Canada, whether relating to that Province, or to Upper Canada, or to Lower Canada, and which is not issued before the Union, may be issued by the Lieutenant-Governor of Ontario or of Quebec, as its subject-matter requires, under the Great Seal thereof; and from and after the issue of such Proclamation the same and the several matters and things therein proclaimed shall be and continue of the like force and effect in Ontario or Quebec as if the Union had not been made.

*Penitentiary* 141. The Penitentiary of the Province of Canada shall, until the Parliament of Canada otherwise provides, be and continue the Penitentiary of Ontario and of Quebec.

*Arbitration respecting debts, etc.* 142. The division and adjustment of the debts, credits, liabilities, properties and assets of Upper Canada and Lower Canada shall be referred to the arbitrament of three arbitrators, one chosen by the Government of Ontario, one by the Government of Quebec and one by the Government of Canada; and the selection of the arbitrators shall not be made until the Parliament of Canada and the Legislatures of Ontario and Quebec have met; and the arbitrator chosen by the Government of Canada shall not be a resident either in Ontario or in Quebec.

*Division of records* 143. The Governor-General in Council may from time to time order that such and so many of the records, books, and documents of the Province of Canada as he thinks fit shall be appropriated and delivered either to Ontario or to Quebec, and the same shall henceforth be the property of that Province; and any copy thereof or extract therefrom, duly certified by the officer having charge of the original thereof, shall be admitted as evidence.

144. The Lieutenant-Governor of Quebec may from time to time, by Proclamation under the Great Seal of the Province, to take effect

from a day to be appointed therein, constitute townships in those parts of the Province of Quebec in which townships are not then already constituted, and fix the metes and bounds thereof.

*Constitution  
of townships  
in Quebec*

#### X.—INTERCOLONIAL RAILWAY

145. Inasmuch as the Provinces of Canada, Nova Scotia, and New Brunswick have joined in a declaration that the construction of the Intercolonial Railway is essential to the consolidation of the Union of British North America, and to the assent thereto of Nova Scotia and New Brunswick, and have consequently agreed that provision should be made for its immediate construction by the Government of Canada: Therefore, in order to give effect to that agreement, it shall be the duty of the Government and Parliament of Canada to provide for the commencement within six months after the Union, of a railway connecting the River St. Lawrence with the City of Halifax in Nova Scotia, and for the construction thereof without intermission, and the completion thereof with all practicable speed.

*Duty of  
Government and  
Parliament of  
Canada to  
make railway  
herein described*

#### XI.—ADMISSION OF OTHER COLONIES

146. It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on Addresses from the Houses of the Parliament of Canada, and from the Houses of the respective Legislatures of the Colonies or Provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those Colonies or Provinces, or any of them, into the Union, and on Address from the Houses of the Parliament of Canada to admit Rupert's Land and the North-western Territory, or either of them, into the Union, on such terms and conditions in each case as are in the Addresses expressed and as the Queen thinks fit to approve, subject to the provisions of this Act; and the provisions of any Order in Council in that behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland.

*Power to admit  
Newfoundland,  
Prince Edward  
Island, British  
Columbia,  
Rupert's Land  
and  
Northwestern  
Territory into  
the Union by  
Order of  
Council*

147. In case of the admission of Newfoundland and Prince Edward Island, or either of them, each shall be entitled to a representation in the Senate of Canada of four members, and (notwithstanding anything in this Act) in case of the admission of Newfoundland the normal number of Senators shall be seventy-six and their maximum number shall be eighty-two; but Prince Edward Island when admitted shall be deemed to be comprised in the third of the three divisions into which Canada is, in relation to the constitution of the Senate, divided by this Act, and accordingly, after the admission of Prince Edward Island, whether Newfoundland is admitted or not, the representation of Nova Scotia and New Brunswick in the Senate shall, as vacancies occur, be reduced from twelve to ten members respectively, and the representation of each of those Provinces shall

*As to  
representation of  
Newfoundland  
and  
Prince Edward  
Island in  
Senate*

not be increased at any time beyond ten, except under the provisions of this Act for the appointment of three or six additional Senators under the direction of the Queen.

THE BRITISH NORTH AMERICA ACT, 1871  
(34 and 35 Victoria, c. 28)

*An Act respecting the Establishment of Provinces in the Dominion of Canada.*

29th June, 1871

Whereas doubts have been entertained respecting the powers of the Parliament of Canada to establish Provinces in territories admitted, or which may hereafter be admitted, into the Dominion of Canada, and to provide for the representation of such Provinces in the said Parliament, and it is expedient to remove such doubts, and to vest such powers in the said Parliament:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords, Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited for all purposes as *The British North America Act, 1871*.

*Short title*

2. The Parliament of Canada may from time to time establish new Provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any Province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such Province, and for the passing of laws for the peace, order and good government of such Province, and for its representation in the said Parliament.

*Parliament's  
authority to  
establish new  
Provinces*

3. The Parliament of Canada may from time to time, with the consent of the Legislature of any Province of the said Dominion, increase, diminish, or otherwise alter the limits of such Province, upon such terms and conditions as may be agreed to by the said Legislature, and may, with the like consent, make provision respecting the effect and operation of any such increase or diminution or alteration of territory in relation to any Province affected thereby.

*Alteration of  
limits of  
Provinces*

4. The Parliament of Canada may from time to time make provision for the administration, peace, order and good government of any territory not for the time being included in any Province.

*Parliament of  
Canada may  
legislate for any  
territory not  
included in a  
Province*

5. The following Acts passed by the said Parliament of Canada, and intituled respectively:

"An Act for the temporary government of Rupert's Land and the North-Western Territory when united with Canada;" and

"An Act to amend and continue the Act thirty-two and thirty-



three Victoria, chapter three, and to establish and provide for the government of the Province of Manitoba." shall be and be deemed to have been valid and effectual for all purposes whatsoever from the date at which they respectively received the assent, in the Queen's name, of the Governor-General of the said Dominion of Canada.

6. Except as provided for by the third section of this Act, it shall not be competent for the Parliament of Canada to alter the provisions of the last mentioned Act of the said Parliament in so far as it relates to the Province of Manitoba or of any other Act hereafter establishing new Provinces in the said Dominion, subject always to the right of the Legislature of the Province of Manitoba to alter from time to time the provisions of any law respecting the qualification of electors and members of the Legislative Assembly, and to make laws respecting elections in the said Province.

*Limitations  
of powers of  
Parliament  
over established  
Province*

THE BRITISH NORTH AMERICA ACT, 1886  
(49 and 50 Victoria, c. 35)

*An Act respecting the Representation in the Parliament of Canada of Territories which for the time being form part of the Dominion of Canada, but are not included in any Province.*

25th June, 1886

Whereas it is expedient to empower the Parliament of Canada to provide for the representation in the Senate and House of Commons of Canada, or either of them, of any territory which for the time being forms part of the Dominion of Canada, but is not included in any Province:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:—

1. The Parliament of Canada may from time to time make provision for the representation in the Senate and House of Commons of Canada, or in either of them, of any territories which for the time being form part of the Dominion of Canada, but are not included in any Province thereof.

*Provision for  
representation  
of territories*

2. Any Act passed by the Parliament of Canada before the passing of this Act for the purpose mentioned in this Act, shall, if not disallowed by the Queen, be, and shall be deemed to have been, valid and effectual from the date at which it received the assent, in Her Majesty's name, of the Governor-General of Canada.

*Effect of Acts  
of Parliament  
of Canada*

It is hereby declared that any Act passed by the Parliament of Canada, whether before or after the passing of this Act, for the purpose mentioned in this Act, or in *The British North America Act, 1871*, has effect, notwithstanding anything in *The British North America Act, 1867*, and the number of Senators or the number of Members of

the House of Commons specified in the last-mentioned Act is increased by the number of Senators or of Members, as the case may be, provided by any such Act of the Parliament of Canada for the representation of any provinces or territories of Canada.

*Short title*

3. This Act may be cited as *The British North America Act, 1886*.

This Act, and *The British North America Act, 1867*, and *The British North America Act, 1871*, shall be construed together, and may be cited together as *The British North America Acts, 1867 to 1886*.

### THE BRITISH NORTH AMERICA ACT, 1907 (7 Edward VII, c. 11)

*An Act to make further provision with respect to the sums to be paid by Canada to the several Provinces of the Dominion.*

9th August, 1907

Whereas an address has been presented to His Majesty by the Senate and Commons of Canada in the terms set forth in the schedule of this Act:

Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Payments to be  
made by Canada  
to Provinces*

1. (1) The following grants shall be made yearly by Canada to every province, which at the commencement of this Act is a province of the Dominion, for its local purposes and the support of its Government and Legislature:

(a) A fixed grant—

Where the population of the province is under one hundred and fifty thousand, of one hundred thousand dollars;

Where the population of the province is one hundred and fifty thousand, but does not exceed two hundred thousand, of one hundred and fifty thousand dollars;

Where the population of the province is two hundred thousand, but does not exceed four hundred thousand, of one hundred and eighty thousand dollars;

Where the population of the province is four hundred thousand, but does not exceed eight hundred thousand, of one hundred and ninety thousand dollars;

Where the population of the province is eight hundred thousand, but does not exceed one million five hundred thousand, of two hundred and twenty thousand dollars;

Where the population of the province exceeds one million five hundred thousand, of two hundred and forty thousand dollars; and

(b) Subject to the special provisions of this Act as to the provinces of British Columbia and Prince Edward Island, a grant at the rate of eighty cents per head of the population of the province up to the

number of two million five hundred thousand, and at the rate of sixty cents per head of so much of the population as exceeds that number.

(2) An additional grant of one hundred thousand dollars shall be made yearly to the province of British Columbia for a period of ten years from the commencement of this Act.

(3) The population of a province shall be ascertained from time to time in the case of the provinces of Manitoba, Saskatchewan, and Alberta respectively by the last quinquennial census of statutory estimate of population made under the Acts establishing those provinces or any other Act of the Parliament of Canada making provision for the purpose, and in the case of any other province by the last decennial census for the time being.

(4) The grants payable under this Act shall be paid half-yearly in advance to each province.

(5) The grants payable under this Act shall be substituted for the grants or subsidies (in this Act referred to as existing grants) payable for the like purposes at the commencement of this Act to the several provinces of the Dominion under the provisions of section one hundred and eighteen of the British North America Act, 1867, or of any Order in Council establishing a province, or of any Act of the Parliament of Canada containing directions for the payment of any such grant or subsidy, and those provisions shall cease to have effect.

(6) The Government of Canada shall have the same power of deducting sums charged against a province on account of the interest of public debt in the case of the grant payable under this Act to the province as they have in the case of the existing grant.

(7) Nothing in this Act shall affect the obligation of the Government of Canada to pay to any province any grant which is payable to that province other than the existing grant for which the grant under this Act is substituted.

(8) In the case of the provinces of British Columbia and Prince Edward Island, the amount paid on account of the grant payable per head of the population to the provinces under this Act shall not at any time be less than the amount of the corresponding grant payable at the commencement of this Act; and if it is found on any decennial census that the population of the province has decreased since the last decennial census, the amount paid on account of the grant shall not be decreased below the amount then payable, notwithstanding the decrease of the population.

2. This Act may be cited as the British North America Act, 1907, and shall take effect as from the first day of July nineteen hundred and seven. *Short title*



## THE BRITISH NORTH AMERICA ACT, 1915

(5 and 6 George V, c. 45)

19th May, 1915

*Alteration of  
constitution of  
Senate*

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) Notwithstanding anything in the British North America Act, 1867, or in any Act amending the same, or in any Order in Council or terms or conditions of union made or approved under the said Acts or in any Act of the Canadian Parliament—

(i) The number of senators provided for under section twenty-one of the British North America Act, 1867, is increased from seventy-two to ninety-six:

(ii) The Divisions of Canada in relation to the constitution of the Senate provided for by section twenty-two of the said Act are increased from three to four, the fourth Division to comprise the Western Provinces of Manitoba, British Columbia, Saskatchewan, and Alberta, which four Divisions shall (subject to the provisions of the said Act and of this Act) be equally represented in the Senate as follows: Ontario by twenty-four senators; Quebec by twenty-four senators; the Maritime Provinces and Prince Edward Island by twenty-four senators, ten thereof representing Nova Scotia, ten thereof representing New Brunswick, and four thereof representing Prince Edward Island; the Western Provinces by twenty-four senators, six thereof representing Manitoba, six thereof representing British Columbia, six thereof representing Saskatchewan, and six thereof representing Alberta:

(iii) The number of persons whom by section twenty-six of the said Act the Governor-General of Canada, may, upon the direction of His Majesty the King, add to the Senate is increased from three or six to four or eight, representing equally the four Divisions of Canada:

(iv) In case of such addition being at any time made the Governor-General of Canada shall not summon any person to the Senate except upon a further like direction by His Majesty the King on the like recommendation to represent one of the four Divisions until such Division is represented by twenty-four senators and no more:

(v) The number of senators shall not at any time exceed one hundred and four:

(vi) The representation in the Senate to which by section one hundred and forty-seven of the British North America Act, 1867, Newfoundland would be entitled, in case of its admission to the Union, is increased from four to six members, and in case of the admission of Newfoundland into the Union, notwithstanding anything in the said Act or in this Act, the normal number of senators

shall be one hundred and two, and their maximum number one hundred and ten:

(vii) Nothing herein contained shall affect the powers of the Canadian Parliament under the British North America Act, 1886.

(2) Paragraphs (i) to (vi) inclusive of subsection (1) of this section shall not take effect before the termination of the now existing Canadian Parliament.

2. The British North America Act, 1867, is amended by adding thereto the following section immediately after section fifty-one of the said Act:

*Constitution  
of House of  
Commons*

51A. Notwithstanding anything in this Act, a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province.

3. This Act may be cited as the British North America Act, 1915; and the British North America Acts, 1867 to 1886, and this Act may be cited together as the British North America Acts, 1867 to 1915.

*Short title*





## INDEX



## INDEX

- Abbott, J. J. C., 138, 236  
 Aberdeen, Earl of, 241  
 Abolitionists, 169  
 Acadia, 34, 37, 38, 181  
*Acadian Recorder, The*, 132  
 Acadians, deportation of, 34-38, 63  
*Accommodation, The*, 75  
 Act of 1905, 256; of Supremacy, 94; of Union, 161, 179  
 Acting ministers, 359  
 Adams, John, 151, 157  
 Adams, John Quincy, 157, 159  
 Adams, Samuel, 51, 56  
 Adet, 70  
 Agrarian bloc, 355  
 Agriculture, 23, 279, 282; and fisheries, 277; in French Canada, 23, 135; in Canada West, 135, 136; depression in, 225, 226; deflation of, 326, 327; in politics, 265, 276, 327, 328, 329, 354, 356, 358, 363; minister of, 196; unrest in, 265  
 Aix-la-Chapelle, Peace of, 35  
*Alabama* claims case, 174, 208  
 Alaska, 144, 156, 174, 236; boundary of, 249-252  
 Alaska Commercial Co., 236  
 Albany, 33, 54; River, 224  
 Albemarle, Duke of, 32  
 Alberta, 4, 5, 205, 256, 328; University of, 287; Farmers' Coöperative Elevator Co., 328  
 Alcoholic drinks, 333  
 Alderson, Lieut.-Gen. E. A. H., 304  
 Algonquins, 8, 9  
 Alien Act of 1804, 100  
 Alien enemies, 314, 315  
 Allan, Hugh, 211, 213  
 Alleghenies, 30, 36  
 Allegheny River, 44  
 Allen, Ethan, 51  
 Allouez, 9  
 Alverstone, Lord, 250, 252  
 Alvord, C. W., 48  
 American Confederation, 59  
 American Federation of Labor, 286  
 American Invasion, 51, 53  
 American penetration, 291, 292  
 American Revolution, *The*, effects of Quebec Act, 48; causes, 50; struggle for fourteenth colony, 50 *et seq.*; campaign of 1777, 54; as civil war, 56, 57, 69, 71, 72, 106  
 Amherst, Jeffrey, 38, 39, 43  
 Amiens, 305  
 Amundsen, Capt. Roald, 145  
 Anderson, 170  
 Anglican Church, 66, 67, 99, 100, 101, 103, 118, 120, 122, 130, 131, 132, 146, 147, 148, 163, 164  
 Anglo-American relations, 174  
 Anglo-French rivalry, 30-41; European background for, 30; causes of, 30-33; King William's War, 33-34; Queen Anne's War, 34-35; King George's War, 35; French and Indian War, 36-40; crisis, 70  
 Anglo-German rivalry, 259  
 Anglo-Japanese Alliance, 344  
 Anglo-Russian agreement, 344  
 Annapolis, 34, 62, 63  
 Annexation, 40, 62, 202, 268; Manifesto (1849), 138, 139  
 Anti-Combines Act, 284  
 Anti-German riots, 315  
 Anti-Slavery Society of Canada, 171  
 A. P. A., 239  
 Appalachians, 37  
 Archibald, A. G., 204  
 Arctic Ocean, 76, 144  
 Arkansas River, 10  
 Armour, Judge, 251  
 Arnold, Benedict, 51, 52, 53, 54  
 Aroostook War, 152; valley, 154  
 Arras, battle of, 304, 305  
 Art, 290  
 Articles of capitulation (1763), 43  
 Articles of Confederation, 59  
 Article X, 343, 344  
 Ashburton, Lord (Alexander Baring), 153, 155  
 Asquith, H. H., 272  
 Asselin, Oliver, 261  
 Assiniboia, 201, 205  
 Assiniboines, 8  
 Athabasca, 205; Lake, 76  
 Athapascans, 6  
 Atlantic fisheries, 157; Convention of 1878, 157  
 Autonomy, 167, 339-349  
 Aylesworth, Allen Bristol, 251  
 Aylmer, Lord, 96, 97  
 Baffin Bay, 144, 145  
 Bagot, Sir Charles, 124, 125, 159



- Baldwin, Robert, 102, 104, 105, 118, 122, 124, 125, 126, 128, 129, 161, 162, 163, 164  
 Baltimore, 88  
 Baltimore and Ohio R. R., 143  
*Banalities*, 22  
 Banking, 141; law of 1871, 200; law of 1913, 274  
 Banting, F. G., 334  
 Baptists, 101, 147  
 Barclay, Thomas, 151  
*Bateaux*, 28, 75  
 "Battle of the Maps," 154  
 "Battle of the Windmill," 111  
 Bay of Fundy, 62, 143, 151, 152  
 Beck, Sir Adam, 325  
 Belcher, Jonathan, 64  
 Belgium (tariff war), 246  
 Bennett, Richard B., 364  
 Bentham, Jeremy, 118  
 Bering Sea (fur sealing), 236, 237, 250  
 Berlin (Ontario), 315  
 Berlin Decree, 80  
 Bermuda, 115  
 Bernard, Hewitt, 183  
 Bibaud, Michael, 288  
 Bidwell, Marshall Spring, 102, 105  
 "Big Business," 284  
 Bigot, 38  
 Bilingualism, 234, 238, 241, 244, 245, 297  
 "Birds of Passage," 280  
 Bison, 5, 6  
 "Bladensburg Races," 88  
 Blaine, James G., 234, 237  
 Blair, Andrew G., 244  
 Blake, Edward, 209, 213, 214, 215, 219, 230  
 Blainville, Celoron de, 36  
 Board of Commerce, 327  
 Board of Railway Commissioners, 283  
 Boer War, 247, 248, 249  
 Bond drives, 308  
 Bonn, 305  
 Borden, Robert Laird, 249, 252, 255, 262, 267-268, 269; prime minister, 272-276; in Great War, 295-316; at peace conference, 341-343; on imperial relations, 346-347; retirement of, 351, 352, 364  
 Border outrages, 173  
 Boston, 47; siege of, 51  
 Boston Committee of Correspondence, 51  
 Boston Tea Party, 48  
 Boundaries, 55, 71, 89, 150-157  
 Bourassa, Henri, 248, 260, 261, 262, 263, 269, 272, 295, 297, 301, 303, 362  
 Bowell, Mackenzie, 220, 239, 240  
 Bracken, Prof. John, 256  
 Braddock, Edward, 37, 44  
 "Brandy Parliament," 19  
 Brant, Joseph, 57  
 Brantford, 57  
 "Bread and Butter Assembly," 104  
 Brébeuf, Jean de, 8  
 Bright, John, 187  
 British blockade (War of 1812), 87  
 British Civil Service Acts, 197  
 British Colonial Office, 116, 118  
 British Columbia, 5, 76, 176, 180, 187, 188, 200, 207, 216, 218, 236, 353; University of, 287  
 British Commonwealth of Nations, 339, 340, 348, 349  
 British Empire, 40; reorganization of, 42  
 British imports, 167  
 British Navigation Acts, 193  
 British North America, 74; economic problems, 74, 75; travel and transportation, 75; union proposal of 1822, 94  
 British North America Act (See Appendix, pp. 367-397), 183, 187, 189, 190; conflict of jurisdictions under, 190, 197, 198, 223, 224, 225, 238, 239  
 British preference, 136, 137  
 British Privy Council, 45, 92, 197, 215, 223, 224, 225  
 British War Office, 54  
 Brock, Sir Isaac, 74, 85, 86  
 "Broken voyage," 79  
 Brown, George, 161, 163, 165, 169, 171, 179, 199, 215; in confederation, 180-185  
 Brown, Jacob, 87  
 Brown, John, 170  
 Brown-Macdonald coalition, 180, 181  
 Bruce, Blair, 290  
 Bruce, David, 75  
 Brunelle, Pierre, 142  
 Buchanan, Isaac, 122, 226  
 Buchanan, James, 173  
 Budget of 1923-1924, 320  
 Buffalo, 76, 109, 110  
 Buller, Charles, 114  
 Burgoyne, Gen. John, 54  
 Burke, Edmund, 66, 67  
 Burke, William, 42  
 Burpee, Lawrence J., 289  
 Burr, Aaron, 73  
 Business Profits War Tax Act, 309  
 Butler, Col., 56  
 Butterworth, Congressman, 226  
 Buxton negro settlement, 170  
 Byng, Lord, 191, 304, 359, 360, 363, 364  
 Bytown (Ottawa), 136  
 Cabinet (powers, procedure, etc.), 195  
 Cabot, John, 6  
 Cagnecourt, 305  
 Cahokia, 10  
 Calais, 304  
 Calhoun, John C., 82

- Cambrai, battle of, 305  
 Campaign contributions, 257  
 Campbell, Alexander, 182  
 "Canada Act" of 1791, 65  
*Canada and Its Provinces*, 289  
 Canada Company, The, 101  
 "Canada First," 227  
*Canada Irredenta*, 179  
 Canada Temperance Act, 215, 225  
 Canada Trade Act, 94, 95  
 Canadian-American relations, 150, 208  
 Canadian Bankers' Association, 326  
 Canadian Clubs, 291  
 Canadian Corn Bill, 136  
 Canadian Expeditionary Force, 303-305, 318  
 Canadian High Commissioner, 196  
*Canadian Historical Review*, The, 289  
 Canadian Labor Party, 314  
 Canadian Labor Union, 285  
 Canadian Medical Corps, 318  
 Canadian National Railways, 313, 320, 321-324, 334, 361  
 Canadian Nationalist League, 261  
 Canadian Northern, The, 253, 275, 282, 312, 313, 321, 323  
 Canadian Ocean Mail Service, The, 144  
 Canadian Pacific Railway, The, 211-213, 215, 216, 221-223, 228, 234, 252, 281, 282, 312, 321, 323  
 Canadian Press Association, 334  
 Canadian Railway Association, 312  
 Canadian Railway Board, 321  
 Canadian Red Cross, 310, 317  
 "Canadian Refugee Tract," 53  
 Canals, 141  
 Cape Breton Island, 6, 34, 35, 37, 64  
 Carignan-Salières regiment, 16, 17, 21  
 Carleton, Sir Guy (Baron Dorchester), 46, 48, 51, 52, 53, 54, 55, 57, 59, 65, 68, 69, 70, 71, 73, 180  
 Carleton, Thomas, 63  
 Carlyle, Thomas, 114  
 Carman, Bliss, 289  
 Carolina, 56  
 Caroline affair, the, 110, 111, 153, 155  
 Carnegie Foundation, The, 334  
 Cartier, Georges Etienne, in Rebellion of 1837, 108; in parliament, 108, 128, 165, 166, 176; confederation, 181-186, 199, 201, 212  
 Cartier, Jacques, 6, 7  
 Cartwright, Richard J., 116, 214, 230, 244  
 Carvell, F. B., 300, 301  
 Cascade Canal, 76  
 Casey, George Elliot, 197  
 Cass, Lewis, 211  
 Cassals, Judge, 324  
 Castlereagh, Lord, 159  
 Casualties (Great War), 303  
 Cathcart, Earl of, 127  
 Caucus, 194  
 Cayley, 130  
 Cecil, Lord Robert, 342  
 Challener, F. S., 290  
 Chamberlain, Joseph, 247, 260  
 Chamberlain-Bayard treaty, 232  
 Chambers of Commerce, Congress of, 275  
 Chambly, 52, 106  
 Chambly Canal, 141  
 Champlain, Samuel de, 7, 8  
 Champlain and St. Lawrence R. R., 142  
*Chansons populaires*, 291  
 Chapais, Thomas, 288  
 Charles II, King, 32, 202  
 Charlottetown Convention, 181, 182  
 Charter of 1670, 32  
 Chateau clique, 95, 99, 105, 114, 116  
 Chateaugay, battle of, 87, 90  
 Chatham, 170  
*Chesapeake-Leopard* affair, 81, 82  
 Chicago, 141  
 Chippewa, 87  
 Christie, Robert, 122, 289  
*Chronicles of Canada*, 289  
 Church of Canada, 43  
 Church of England, 101, 103, 146, 147  
 Churchill, Winston, 272  
 Civil Service reform, 196, 197  
 Civil War (American), 140, 169, 171-177  
*Clarion* (Nashville), 84  
 Clark, Michael, 300  
 Clarke, Alured, 68  
 Clay, Henry, 82, 83, 84  
 "Clear Grits," 161, 162, 163, 165, 179, 181, 199  
 Clemenceau, 342  
 Clement X, 19  
 Clergy reserves, 66, 67, 99, 100, 101, 102, 103, 118, 122, 161, 162, 163, 164  
 Cleveland, President Grover, 232  
 Clipper ships, 142  
 Coalition Government (1917), 300, 301  
 Coffins, 63  
 Colbert and New France, 15  
 Colborne, Sir John, 102, 104, 107  
 Colebrooke, Sir William, 131  
 Cologne, 305  
*Colonial Advocate*, 101, 103  
 Colonial independence, evolution of, 168  
 Colonial Office, 103, 104  
 Colonial policy (French), 13-25  
 Columbia River, 76, 156, 157  
 Columbus, Christopher, 6  
 Combines and Fair Prices Act, 327  
 Committee of Correspondence, 97  
*Compagnie des Habitans*, 14  
 Company of Gentlemen Adventurers, 32  
 Company of New France, 13, 14, 15, 21

- Company of the North, 33  
 Concord, 50  
 Confederate refugees, 173  
 Confederation, causes, 176, 177, 179-181; Charlottetown Convention, 181-182; Quebec resolutions, 183-185; financial terms, 184-185; ratification, 185-187  
 Congress, U. S., 54, 82, 84  
 Connaught, Duke of, 272  
 Connecticut River, 55, 150, 153, 154  
 Conscription, 300-303  
 Conservative party, 199, 209, 212, 213, 216, 217, 218, 220, 223, 229-230, 234, 235, 236, 240-241, 254, 262, 267, 269-270, 271, 295, 297, 299, 301, 302, 346, 350-366  
*Constitution, The*, 104  
 Constitutional Act of 1791, 65, 66; criticisms of, 66, 67, 68, 74, 91, 94, 99, 101, 105, 111, 113, 161, 166  
 Constitutional Associations, 97  
 Constitutional issue (1926), 359  
 Continental Congress, 50, 51, 56  
 Cooke, Jay, 211  
 Coöperative movement, 327  
 "Co-partnership," 346-347  
 Copenhagen, 80  
 Corduroy roads, 75  
 Cornwallis, Edward, 63  
 Côté-Real, Gaspar, 6  
*Corvée*, 22  
 Cosgrave, President, 347  
*Coueurs-de-bois*, 28  
 Council of the Northwest Territories, 228  
 Craig, Sir James, 71, 72  
 Craigellachie, 227  
 Crémazie, Octave, 288  
 Crerar, T. A., 301, 328, 351, 354, 356  
 Crime Wave, 335  
 "Crimping," 174  
 Crow, 11  
 Crown Point, 39, 51, 54  
 Crown revenues, 92, 93, 96  
 Crysler's Farm, battle of, 87  
 Cunard, Samuel, 142  
*Curé*, 24  
 Currency, 141; in New France, 23-24; in early West, 75  
 Currie, Arthur W., 304, 305  
 Customs scandal, 358-359, 360-361, 363  
 Dairying, 282  
 Dalhousie, Lord, 93-96  
 Dalhousie University, 287  
 Dandurand, Senator, 346  
 Davies, Louis H., 244  
 Dawes Report, 346  
 Daylight saving, 311  
 Deane, Silas, 51  
 Dearborn, Fort, 86  
 Dearborn, Henry, 85, 86  
 De Celles, Alfred, 288  
 Declaration of Independence (American), 53, 56, 104, 106  
 Declaration of Rights (French-Canadian), 97  
 Deerfield Massacre, 34  
 Deflation, post-war, 326  
 De Levis, Marshall, 40  
 Demobilization, 317  
 Denison, George T., 227  
 D'Estaing, Admiral, 55  
 De Salaberry, 87  
 Detroit, 11, 60, 76, 86, 110; Pontiac's attack on, 44; in War of 1812, 85, 86; River, 170  
 Diamond Jubilee, 247, 365  
 Dingley, Nelson, 226  
 Dinwiddie, Governor, 36  
 Dissenting sects, 147  
 Divorce bills, 192  
 Doherty, Charles J., 341, 344  
 Dominion establishment, 184; government under Act of 1867, 189, 198; first Dominion government, 199, 200  
 Dominion Franchise Act, 229, 230, 332  
 Dominion Industrial Disputes Investigation Act, 257  
 Dominion Iron and Steel Company, 330  
 Dominion powers, 189, 190  
 Dominion Railway Commission, 313  
 Dorion, A. A., 180, 185, 214  
 Double majority, 162, 165, 166, 179  
 "Double shuffle," 165  
 Doughty, Arthur G., 275, 289  
 Douglas, Stephen A., 226  
 Doukhobors, 255, 280  
 Downie, George, 88  
 Draft Law, 300; riots, 303  
 Drama, 290, 291  
 Draper Conservative Government, 162  
 Draper, William Henry, 122  
*Droits de Quinte*, 93  
 Druccour, Chevalier de, 38  
 Drummond, Sir George, 92  
 Drummond, William Henry, 289  
 Drury, E. C., 328, 305, 356  
 Dufferin, Lord, 216, 290  
 "Dummy bill," 194  
 Duncan, Norman, 289  
 Dunkin, Christopher, 185  
 Dunning, C. A., 363  
 Dunning, William A., 172  
 Duquesne, Fort, 36, 37, 38  
 Durham, Earl of (John George Lambton), 113-118; report, 115-118, 127, 180  
 Durham boat, 75



- Economic status (Canadian), 187, 336  
 Education (public), 123, 147, 148, 287, 334  
 Edward VII, 272  
 Elections (Dominion) of 1867, 199; of 1872, 209, 210; of 1874, 214; of 1878, 218; of 1882, 223; of 1887, 230; of 1891, 234, 235; of 1896, 240, 241; of 1900, 249; of 1904, 253; of 1908, 259; of 1911, 268-270; of 1921, 353-355; of 1925, 357; of 1926, 360-362  
 Elgin, Lord (James Bruce), 127-130, 137, 138, 139, 164, 167, 290  
 Elgin Reciprocity Agreement (1854), 139-140, 174, 208, 266  
 Embargo policy, 81  
 Empire Settlement Act, 331  
 English Channel, 304  
 English Language, 166  
 Equal Rights Association, 234  
 "Equal status," 339  
 Erie Canal, 74, 141  
 Eskimos, 6  
 Essex County, 170  
 Euler, W. D., 363  
*Evangeline*, 37, 38  
 "Everlasting Salary Bill," 102  
 Exploration, 6, 11, 76, 144  
 Exports, 136  
 Factory system, 278, 284  
 Fairfield, Governor, 153  
 Falkland, Lord, 133  
 Fallen Timbers, battle of, 69  
 Family compact, 99, 100, 105, 116, 118, 119, 125, 130, 147  
 Fargo, W. G., 211  
 Farm products, 282  
 Farmers' Alliances, 279  
 Farmers' Nonpartisan League, 354  
 Fathers of Confederation, 182, 183  
 Federal Parliament, 184  
 Federal Union of British North America, 184  
 Federalism, American, 177, 179  
 Federalism, nature of, 189, 190  
 Fenian raids, 175, 176, 208, 209  
 Ferguson, Howard, 334  
 Festubert, battle of, 304  
 Feudalism, 20-23, 24; under Quebec Act, 47  
 Fiction, 289  
 Fielding, W. S., 227, 244, 267, 270, 351, 355, 356  
 Financial mobilization, 307  
 Fine arts, 290  
 "Fifty-four forty or fight," 156  
 Fisher, 270  
 Fisheries, 6, 89, 140, 157, 158, 208, 215, 231-233, 250, 263, 264, 345, 346  
 "Fishing Admirals," 31, 337  
 Florida Treaty, 156  
 Fitzpatrick, Sir Charles, 264  
 Food conservation, 311  
 Food controller, 311  
 Fort Benton, 205  
 Fort Dearborn, 86  
 Fort Duquesne, 36, 37, 38  
 Fort Erie, 87, 175  
 Fort Frontenac, 38  
 Fort Garry, 201, 203, 204  
 Fort Miami, 44  
 Fort Oswego, 38  
 Fort Pitt, 38  
 Fort Presqu' Isle, 44  
 Fort Richelieu, 15  
 Fort Sandusky, 44  
 Fort Schlosser, 110  
 Fort St. Joseph, 44  
 Fort St. Louis, 10, 44  
 Fort Stanwix, 54  
 Fort William Henry, 38  
 Forke, Robert, 356, 361, 363, 364  
 Fortune Bay mob, 232  
 Foster, Sir George, 272, 341, 344  
 Foster, W. A., 227  
 Fox, Charles James, 67, 101  
 Franklin, Benjamin, 37, 54  
 Franklin, Sir John, 144, 145; Lady, 145  
 Fraser River, 76, 222  
 Fréchette, Louis, 288  
 Frederick the Great, 38  
 Fredericton, 62, 63  
*Free Press* (Manitoba), 289, 300  
 Free Trade (British), 137, 201  
 French Alliance, 55; plots in Canada, 70, 71  
 French Canada, 57  
 French Canadians and the Great War, 296, 297, 301, 302  
 French Canadians, 229, 248  
 French-Canadian literature, 288  
 French-Canadian party, 72  
 French claims, 11  
 French and Indian War, 37, 71  
 French Republic, 70  
 French Revolution, 70, 146  
 Frontenac, Count de, 10, 17, 32, 34  
 Fuel controller, 311  
 Fugitive Aid Societies, 171  
 Fugitive slaves, 170  
 Fulton, Robert, 75  
 Fundamentalists, 335  
 Fur trade, 5, 6, 7, 10, 28; rivalries in, 31-33; after 1763, 44, 45, 69, 74, 76; in War of 1812, 83  
 Gallatin, Albert, 151, 152  
 Galt, Alexander Tilloch, 128; minister of finance,

- 167, 199; fiscal autonomy, 167; confederation, 180-186, 190
- Galt, John, 101
- Garneau, François Xavier, 288
- Garrison, William Lloyd, 171
- Gates, Horatio, 54
- Gazette* (Montreal), 289
- Gazette* (Newark), 77
- General Election Law, 215
- Genet, Edmund, 70
- Genoa Conference, 344
- Geography (Canadian), 3-6
- George III, 43, 48
- George V, 365
- Germain, Lord George, 54
- German Emperor, 208
- Germany (Tariff War), 246
- Gerrymander, 223, 299
- Ghent, Peace of, 88, 89, 155
- "Gibraltar of the West" (Louisbourg), 35
- Gist, Christopher, 36
- Givenchy, 304
- Gladstone, W. E., 98, 127, 130, 187
- Glengarry Highlanders, 77
- Glyns and Baring, 180
- Goderich, Lord, 103
- Gold, discovery of, 207
- Gordon, Charles W., 73
- Gore, Francis, 73
- Gosford, Lord, 98
- Gouin, Sir Lomer, 354, 355, 356
- Gourlay, Robert, 100
- Government ownership, of railroads, 324; of power and transportation systems, 325
- Governor-general (powers, etc.), 190-191, 348
- Graham, G. P., 300, 351, 355
- Grain Growers' Associations, 265, 276, 327
- Grand Banks, 6
- Grand Manan, 151
- Grand Trunk Railway, 142, 143, 180, 182; arbitration, 323, 324
- Grand Trunk Pacific, 252, 253, 282, 312, 313, 321
- Grange, 279
- Grant, Ulysses S., 174, 215
- Grant, W. L., 289
- Great Bear Lake, 4
- Great Eastern Railway, 322
- Great Lakes, 30, 46, 55, 124, 140, 142, 159, 173, 174
- Great Miami River, 30
- "Great Ministry, The," 161
- Great Slave Lake, 4, 76
- Great War, The, causes, 159, 274, 276, 281, 284, 286, 294, 295; Canadian participation in, 295-305; recruiting, 295; C.E.F., 295-305; Conscription, 300-303; financing, 307, 310; labor and the war, 314; alien enemies, 314, 315
- Great War Veterans' Association, 319, 331
- Greenback party, 279
- Greenland, 6, 7
- Greeley, Horace, 226
- Grenville, Lord George, 42
- Grey, Sir Edward, 113, 264
- Grey, George, 264
- Grier, E. Wyly, 290
- Groselliers, 8, 31
- "Group of Seven," 290
- Grundy, Felix, 82, 84
- Guadaloupe, 40
- Guarantee Act, 143
- Gulf of Mexico, 30
- Gulf of St. Lawrence, 143, 152, 157
- Guthrie, Hugh, 364
- Habitant*, 21, 22, 23, 25, 28, 44, 46, 51, 52, 53, 94, 135, 296; life of, 25-26; home, 25; dress, 26; food, 26
- Hague Tribunal, 263, 264
- Haldimand, Sir Frederick, 65
- Haliburton, Thomas Chandler, 132, 289
- Halibut fisheries treaty, 345, 346, 347
- Halifax, 36, 37, 38, 57, 62, 63, 64, 132, 142, 143, 182
- Hall's Stream, 154
- Hamilton (Ontario), 136
- Hamilton, Alexander, 141
- Hampton, Wade, 87
- Hancock, John, 150
- Hanna, D. B., 311, 322, 334
- Harro Strait, 157
- Harper's Ferry, 170
- Harrison, Samuel Bealey, 124
- Harrison, William Henry, 83, 86, 87
- Hart House String Quartette, 291
- Hart House Theatre, 291
- Harvard College, 154
- Harvey, Sir John, 133
- Hay, John, 251
- Head, Sir Edmund, 164, 172
- Head, Sir Francis Bond, 103, 104, 108, 109, 110
- Hearne, Samuel, 76
- Hearst newspapers, 315
- Hebert, Louis Philippe, 290
- Hémon, Louis, 288
- Henry, Patrick, 56
- Herald* (New York), 172, 173
- Herkheimer, Nikolaus, 54
- Hertzog, Prime Minister, 347
- High Commissioner, 196
- Highlanders (Scotch), 77
- "Highlands Line," 55, 151, 152
- Hill, James J., 220, 221, 222

- Hincks, Francis, 118, 122; railroad policy of, 143, 163, 164; in banking, 200  
 Hincks-Morin ministry, 163  
 Historians (Canadian), 288, 289  
 Hochelaga, 7  
 Homestead legislation, 215, 246, 247, 255, 282, 318, 319  
 Honorary Colonels, 295  
 Hoover, Herbert, 311  
 Howe, General, 54  
 House of Commons (powers, etc.), 193-195  
 Howay, F. W., 289  
 Howe, Joseph, 132, 133, 143; in confederation, 181, 183, 186, 187, 199  
 Hudson, Henry, 31  
 Hudson Bay, 4, 31, 32, 34  
 Hudson Bay Railway, 282, 362, 363  
 Hudson River, 54  
 Hudson's Bay Company, 31-33, 76, 83, 144, 145, 156, 157; land claims of, 179, 187; surrender of title, 200-202, 203, 207, 213  
 Hughes, Samuel, 272, 276, 295, 297, 298, 305  
 Hull, William, 85, 86  
 Hume, Joseph, 118  
 Hunter, Peter, 73  
 "Hunters' Lodges," 110, 111  
 Huntington, Lucius Seth, 212  
 Hurons, 6, 8, 9, 14  
 Huskisson, William, 96  
 Hydro-electric Power Commission, 325, 326  
 Île St. Croix, 151  
 Île St. Jean, 35  
 Illinois, 46  
 Illinois River, 10  
 Immigration, 44, 73, 77, 99, 100, 101, 128, 134, 135, 166, 246, 255, 258, 278, 280, 281, 331, 332; minister of, 196  
 Imperial Act of 1833, 170  
 Imperial confederation, 227  
 Imperial conferences, of 1897, 247; of 1902, 260; of 1909, 260; of 1912, 272; of 1917, 340, 341; of 1926, 191, 347-349  
 Imperial Munitions Board, 310  
 Imperial Order of Daughters of the Empire, 291  
 Impressment, 80, 81  
 Income War Tax Act, 309  
 India, 125  
 Indian Affairs, Department of, 206  
 Indian Trust Fund, 206  
 Indiana Territory, 83  
 Indians (Canadian), number and tribes, 6, 7, 8, 9, 16, 34; Indian relations, 33; Indian line of 1763, 45; as cause of War of 1812, 82, 83; new policy toward, 145, 146, 179, 200, 205, 206, 220, 228  
 Industrial depression, 226  
 Industrial discontent, 329  
 Industrial Disputes Investigation Act, 286, 314, 331  
 Industrial Revolution, 258, 259  
 Inland Revenue, Minister of, 196  
 Insulin, 334  
 Intendant, 16, 17  
 Inter-Allicd Conference, 346  
 Intercolonial Railway, 200, 216, 313, 321  
 Internal improvements, 98, 104, 117, 123, 128, 141  
 International Joint Commission, 264  
 International Labor Conference, 342, 344  
 Interior, Minister of, 196  
 International Seal Conference, 237  
 "Intolerable Acts," 48  
 Irish-Americans and Canada, 175, 176  
 Irish immigrants, 135, 176, 182, 185, 199  
 Iroquois, 6, 7, 8, 14, 16, 33, 34  
 Iroquois River, 150  
 Isle of Orleans, 39, 40  
 Isolationists, 260  
 Ivens, William, 329  
 Jackman, W., 289  
 Jackson, Andrew, 88, 197  
 Jackson, John, 75  
 James, Duke of York, 32  
 Jamaica, 125  
 Jamay, Father, 18  
 Jay, John, 51, 151  
 Jay's Treaty, 70-71, 74  
 Jefferson, Thomas, 70, 81, 82, 84, 85  
 Jefferys, C. W., 290  
 Jellicoe, Admiral Lord, 344  
 Jesuits, 8, 9, 10, 18, 19, 33, 233  
 Jesuit Estates Act, 233  
 Jetté, Louis, 251  
 Jingoism (American), 172  
 Johnson, Edward, 291  
 Johnson, Sir John, 56  
 Johnson, Richard M., 82, 84  
 Johnson's Island, 173  
 Joliet, Louis, 10, 31  
 Journalism, 334  
 Judiciary (Dominion), 197; of lower Canada, 91, 92, 95, 96, 97, 103; reforms, 167, 168, 215  
 Justice, Minister of, 196  
 Jurisdictional conflicts (Dominion *vs.* provincial governments), 224, 225  
 Kalm, Peter, 27  
 Kaskaskia, 10  
 Kempt, Sir James, 96  
 Kennedy, W. P. M., 108, 187, 289  
 Kenora, 224  
 Kent County, 170  
 "Khaki election," 298, 301, 302  
 Kicking Horse, 222  
 King, William Lyon Mackenzie, 159, 257, 270,



- 320, 322, 339, 345, 347; prime minister, 350-356, 359, 364  
 King George's War, 35  
 King William's War, 33, 34  
 King William's Land, 145  
 King of the Netherlands, 152, 154  
 King's College, 147  
 King's Privy Council for Canada, 195  
 Kingsford, William, 289  
 Kingston, 38, 65, 72, 77, 118, 122, 124, 126, 136  
 Kipling, Rudyard, 5, 268, 269  
 Klondike, 250  
 Knox College, 171  
  
 Labor churches, 335  
 Labor Day, 286  
 Labor and prices, 136  
 Labor, Minister of, 196  
 Labor legislation, 286  
 Labor movement, 285  
 Labor union membership, 329  
 Labor parties, 330  
 Labor problems, 257, 285-287, 328-331, 351  
 Labor Temple, 330  
 Labor and the Great War, 313, 314  
 Labrador, 6, 46, 158, 336, 334, 335, 337  
 Lachine Canal, 141  
 Lafayette, 55  
 Lafontaine, Louis Hippolyte, 108, 124, 125, 126, 128, 129, 162, 163  
 Lafontaine-Baldwin ministry, 161, 162, 163  
 Lake Athabasca, 76  
 Lake Champlain, 38, 51, 52, 54, 57, 85, 141, 153, 159  
 Lake Erie, 9, 36, 86, 100, 123, 141, 159, 173  
 Lake George, 3  
 Lake Huron, 143, 154  
 Lake Michigan, 10, 209  
 Lake Nipissing, 212  
 Lake of the Woods, 55, 71, 151, 155, 154, 224  
 Lake Ontario, 76, 100, 123, 141, 142, 143  
 Lake Pohenaganook, 154  
 Lake St. Clair, 170  
 Lake Superior, 145, 146, 155, 207, 212, 215, 221  
 Lake Winnipeg, 222  
 Lake traffic, 142  
 Lampman, Archibald, 289  
 Land Settlement Board, 318, 319  
 Langemarck, 304  
 Langevin, Hector Louis, 176, 182, 220, 234, 236  
*La Partie Rouge*, 161  
 Lapointe, Ernest, 347, 354, 355, 363  
 La Prairie, 142  
 LaSalle, Robert de, 10, 31  
 L'Assomption College, 242  
 Laurier, Wilfrid, 214, 227, 230, 233, 235, 236, 239, 327, 339; as prime minister, 242-271; in opposi-  
 tion, 273, 274, 295; during Great War, 295, 297, 300, 301, 303; death of, 350, 351, 354  
 Lausanne, Treaty of, 346  
 Laval University, 19, 233, 287  
 Lavergne, Armand, 297  
 Lawrence, Governor, 37, 64  
 Leacock, Stephen, 289  
 League of Nations, 341, 342, 350  
 LeCaron, Father, 18  
*Le Canadien*, 72  
*Le Club Canadienne*, 243  
*Le Devoir*, 263, 295, 303  
 Legislative Council, 167  
 Leif Ericson, 6  
 Lemieux, Rodolphe, 257, 343, 354, 355  
 Lemieux Act, 351  
 Lens, 304  
 Lexington, 50  
 Liberal Party, 199, 209, 213-215, 216, 217, 218, 229, 230, 238, 240, 241, 243, 244, 245, 248, 253, 258-262, 263, 264-267, 270, 295, 297, 299, 301, 302, 347, 350-366  
 Liberal-Conservative alliance, 163, 164  
 Liberal-Progressive coalition, 360, 363  
 "Liberty caps," 106  
 Liberty Loan, 302  
 "Liberty trees," 106  
 Lincoln, Abraham, 169, 171, 172  
*L'Institut Canadien*, 242  
 Liqueurs, 333  
 Literacy test, 331  
 Literature, 288-290  
 Little Theatre Movement, 291  
 Liverpool, 127  
 Lloyd George, 341  
 Lodge, Henry Cabot, 251  
*Lods et ventes*, 93  
 London, 75  
 Longueuil, 106  
 Longfellow, Henry W., 37  
 Longheed, Sir James, 317  
 Lord's Day Act, 257, 262  
 Lord's Day Alliance, 257  
 Lorne, Lord, 224, 290  
 Lotbinière, Henri Joly de, 244  
 Louis XIV, 15, 16, 33  
 Louisbourg, 35, 36, 38, 39  
 Louisiana Territory, 155  
 Lower Canada, government, 66; French intrigues in, 69, 70; and the French Revolution, 71; early politics, 72; trade, 74, 75; schools, 77; rebellion of 1837, 91-98, 106-108; struggle over revenues of, 93-98; speakership in, 95, 96; chateau clique, 95; ninety-two resolutions, 97; union, 119; 113, 114, 117, 118, 123, 134, 135, 141, 147, 162, 165  
 Loyalists, 54, 55, 65; treatment of, 56; migrations

- of, 57, 60; in treaty of 1783, 59; British aid for, 59, 60; hardships of, 60-62; settlements of, 60, 62, 63, 64, 65; political results, 62, 65-66, 73, 74, 77, 103, 104, 126, 147, 148
- Lundy's Lane, battle of, 87
- Lynn Canal, 250, 251
- Lyons, Lord, 172
- Macaulay, Thomas Babington, 125
- Macdonald, A. A., 183
- Macdonald, John A., 111; enters parliament, 126, 138; builds Liberal-Conservative coalition, 163, 164, 166, 167; confederation, 180-185, 199; prime minister, 199-209; elections of 1872, 210; Pacific R. R. scandal, 211-213; "N. P.," 216, 217; return to power, 218-235; death, 235, 236; 339
- Macdonald, John Sandfield, 122, 166, 185, 186, 187
- Macdonald, J. Ramsay, 344
- Macdonald, Wilson, 289
- Macdonald-Cartier ministry, 165, 166
- Macleod, J. J., 334
- Mackenzie, Alexander (explorer), 76
- Mackenzie, Alexander, 209, 213, 214; prime minister, 214-218, 244
- Mackenzie, William, 253
- Mackenzie, William Lyon, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 128, 129, 133, 139
- Mackenzie basin, 4
- Mackenzie River, 76
- McNab, Allan, 110, 122, 126, 130, 162, 163, 164, 165
- MacPhail, Agnes, 334, 335
- Macpherson, David L., 211
- Madison, James, 82, 84, 88, 89, 159, 183
- Maine, 52, 87, 88; boundary dispute, 150, 154, 155, 172
- Maitland, Sir Peregrine, 100
- Makers of Canada*, 289
- Manchester, 118
- "Manifest Destiny," 83
- Manitoba, 202-204, 205, 209, 215, 218, 224, 228, 238, 239, 241, 244, 245, 326, 356; University of, 287
- Manitoba College of Agriculture, 356
- Manitoba Free Press*, 289, 300
- Manitoba Hydro-Electric Commission, 326
- Manitoba-Ontario boundary, 224
- Manitoba schools question, 238-241, 244, 245
- Mann, Donald, 253
- Manufacturing, 218-220, 283, 285
- Marcy, William M., 139
- Marines and Fisheries, Minister of, 196
- Maritime provinces, 187
- Marlborough, Duke of, 32
- Marquette, Jacques, 9, 10, 31
- Mars Hill, 152
- Martin, Chester, 289
- Masons, Lodges of Patriotic, 110
- Massachusetts, 150, 154; provincial congress in, 51
- Massey, Vincent, 291, 348
- Meighen, Arthur, 276, 299, 301, 344; prime minister and party leader, 352, 353, 354, 355, 357, 359, 360, 361, 363, 364
- Meighen, Theodore Roosevelt, 360
- Mendelssohn Choir, 291
- Mennonites, 73, 77, 245, 280
- Mercantile theory, 13, 50, 74
- Merchant Adventurers of London, The, 32
- Mercier, Honoré, 233
- Merritt, William H., 122, 141
- Metcalfe, Sir Charles T., 125-127, 128, 131, 133
- Methodists, 101, 147
- Metjarmette Portage, 154
- Middleton, General, 228
- Milan Decree, 80
- Militia, establishment of, 166
- Militia and Defense, Minister of, 196
- Military government, 43
- Military Service Act, 362
- Military Voters Act, 299
- Mill, John Stuart, 115, 118
- Milling industry, 136, 137
- Mills, David, 230
- Milner, Lord, 340
- Milnes, Robert Shore, 71
- Ministry, the, 196
- Minnesota, 32
- Missionaries, 8, 9, 10, 19
- Mississippi River, 4, 31, 40, 46, 55, 84, 155, 173
- Mississippi valley, French posts in, 10, 11, 30, 44, 48
- Missouri River, 10, 205
- "Mr. Madison's War," 89
- Mitchell's Map of North America, 150
- Moderate Reform Government, 163
- Modernists, 335
- Mohawks, 54, 57
- Mohawk River, 44
- Molson, John, 75
- Monck, F. D., 262, 272, 276
- Moncton, 252
- Monk, Lord, 180, 199
- Monk, Justice, 92
- Monroe, President James, 159
- Mons, 305
- Montana, 228
- Montcalm, Marquis de, 38, 39, 40
- Montgomery, Richard, 52, 53
- Montreal, 4, 7, 10, 19, 22, 24, 27, 28, 34, 36, 43, 52, 51, 54, 57, 65, 86, 96, 97, 98, 106, 107, 122, 124, 129, 130, 135-139, 144, 173, 188, 221, 242
- Montreal Riots, 129, 130
- Montreal, Siege of, 52, 53
- Moore, Tom, 330

- Moose Island, 151  
 Morgan, J. P. and Co., 308  
 Morin, A. N., 97, 108, 122, 163, 164  
 Morison, J. L., 289  
 Mormons, 280  
 Morris, James Wilson, 290  
 "Mosquito Fleet," 85  
 Motherwell, W. R., 327, 355, 363  
 Mounted police, 315  
 Movies, 292  
 Mowat, Sir Oliver, 171, 244  
 Municipal government, 96, 98, 116, 117, 118, 128, 161  
 Munitions industry, 295, 310  
 Murdoch, James, 355  
 Murray, James, 40, 44, 45, 46  
 Music, 290, 291  
 McAdoo Award, 314  
 McArthur, Duncan, 289; on rebellion of 1837, 111  
 McClure, William, 171  
 McDougall, William, 182, 183, 199, 201, 202, 203  
 McGhee, Thomas D'Arcy, 176, 182, 185, 199  
 McGill University, 242, 287  
 McLeod, Alexander, 153  
 McMullen, George W., 212
- Napoleon, 80, 81, 87  
 National Council of Women, 335  
 National debt, 321  
 National Farmers' Platform, 328, 329  
 National Gallery of Canada, 290  
 National Liberal and Conservative Party, 351, 352  
 "National Policy," the, 216-218, 220, 226, 231, 234, 235, 264, 268  
 National Progressive Party, 328, 354, 356, 358, 363  
 National Service Board, 299  
 National Spirit, 227, 288, 291  
 National Transcontinental R. R., 313, 321  
 Nationalism, 169, 227, 339, 349  
 Nationalists (Quebec), 248, 260-262, 263, 269, 272, 301  
 Nationalization of Railroads, 313  
 Navy Island, 109, 110  
 Navy question, 259, 262-263, 269, 272, 301  
 Near beer, 333  
 Negroes in British North America, 170, 171  
 Neilson, John, 97, 122  
 Nelson, Knut, 269  
 Nelson, Wolfred, 106, 107, 111, 114  
 Nelson River, 4  
 Netherlands Award, the, 151-152  
 "Neutral ships make neutral goods," 80  
 Neutrality, 173  
 Neutrality Proclamation, 71  
 Newark, 77, 87  
 New Amsterdam, 31  
 New Brunswick, 3, 57, 137, 143, 153, 187, 220, 244, 252, 254, 353; loyalists, 63, 74; War of 1812, 89; rebellion of 1837, 111; responsible government, 130-131, 142, 152; confederation, 181-182, 185, 186  
 Newcastle, Duke of, 167  
 Newfoundland, 6, 31, 34, 134, 140, 157, 158, 238, 263, 337  
 "New Feudalism," the, 265  
 New France, 6; agriculture, 23; extent, 10-11; colonial policy, 13; trade, 13, 23, 24; government, 14-18; population, 15, 16, 17, 18, 42; church, 18-20; feudalism, 20-23; economic conditions, 23-24; social life, 24-28; women, 26-28; conquest, 30-40  
 New Immigration, 280, 281  
 "New Magna Charta," 347, 348  
 "New National Policy," 329  
 New Orleans, battle of, 88  
 Newspapers, early, 77  
 New York, 54, 56, 138  
 New York Central R. R., 313  
*New York Herald*, 172  
 New West, 82  
 Niagara, 57, 77, 114, 123  
 Nicolet, Jean, 8  
 Ninety-two Resolutions, 97  
*Niobe*, 262  
 Nipissing, Lake, 8  
 Norse discoveries, 6  
 Northwest Company, 76, 201  
 Northwest Mounted Police, 205  
 Northwest Territory, 69, 215  
 North Pole, 84  
 Nova Scotia, 3, 158, 192, 197, 218, 241, 254, 353, 355; British province, 34, 35, 36, 37; early history, 57, 63, 64; loyalists in, 63; partition of, 62-63; European immigration, 63; representative government in, 132-133, 142, 144, 147, 152; confederation, 181-182, 186, 187, 227  
 Nova Scotia Steel and Coal Company, 284  
*Nova Scotian* (the), 132  
 Nuns (in New France), 27-28
- Oaths Bill of 1873, 195  
 Oath of Supremacy, 47  
 O'Callaghan, E. B., 106, 107, 108  
 Ohio Land Company, The, 36  
 Ohio River, 10, 31, 36, 44, 46, 48, 173  
 Ohio valley, rivalry for, 36-37  
 "Old Tomorrow," 209  
 "One Big Union," 329, 330  
 O'Neil, General, 175  
 Ontario, 57, 65, 77, 99, 104-111, 119, 138, 148, 170, 176, 184, 187, 188, 192, 199, 200, 201, 214, 217, 218, 223, 244, 225, 227, 230, 233, 241, 252, 297, 315, 354, 355  
 Ontario Rivers and Streams Bill, 225



- Ontario Society of Artists, 290  
 Orangemen, 204, 209, 234, 239  
 Oregon country, 156, 207  
 Oregon Treaty, 156, 157  
 Oregon Trail, 156  
 Oriental immigration, 255-256, 281  
 Oriskany, battle of, 54  
 Orlando, 342  
 Oswego, 38, 57  
 Ottawa, 204, 209, 210, 220, 239, 240  
 Ottawa River, 4, 7, 65  
 Overseas Club, 291  
  
 Pacific Northwest, 76  
 Pacific Ocean, 187  
 Pacific Railroad, 213-215, 220  
 Pacific Settlements, 207  
 Pakenham, Sir Edward, 88  
 Panic of 1873, 214, 216, 217, 220; of 1857, 165  
 Papal Zouaves, 242  
 "Paper Blockade," 80  
 Papineau, Louis Joseph, 92, 94, 95, 96, 97, 106, 107, 108, 111, 114, 125, 127, 128, 161, 260  
*Papineau et l'indépendance*, 106  
 Pardee, 351  
 Parent, Etienne, 288  
 Paris, Treaty of, 40, 42, 55, 56, 59, 69, 150  
 Parr, Governor, 62, 150  
 Parrrtown, 62  
 Parsnip River, 76  
*Partie Rouge, La*, 161-162, 163  
 Party government, 194  
 Passchendaele Ridge, 305  
 Paterson, 270  
 Patriotic Fund, 310  
 Patriotic Societies, 310  
 Payne-Aldrich Tariff, 265-266  
 Peace of Amiens, 79  
 Peace of Aix-la-Chapelle, 35  
 Peace of Ghent, 88, 89  
 Peace of Utrecht, 34  
 Peace River, 5, 76  
 "Peaceable coercion," 81  
 Peel, Paul, 290  
 Peel, Sir Robert, 130  
*Peel, Sir Robert* (the), 110  
 Pelletier, Louis P., 272  
 Pembina, 216  
 Pennsylvania, 37, 46, 56, 57, 62  
 Pennsylvania, University of, 56, 322  
 Pension, 317  
 Pepperell, William, 35  
 Perry, Oliver Hazard, 86  
 Philadelphia, 51, 54  
 Phillips, William, 348  
 Phips, Sir William, 34  
 Pickthall, Marjorie, 289  
 Pictou, 142  
 Pierce, Franklin, 139  
*Pilot* (the), 129  
 Pitt, the Younger, 66  
 Pitt, William, 38, 40, 45, 46  
 Pittsburgh, 36  
 Plains of Abraham, 39, 40  
 Plank roads, 141  
 Plattsburg, N. Y., 86, 88  
 Plessis, Bishop, 146  
 Poetry, 288, 289  
 "Political Liberalism," 243  
 Polk, James K., 156  
 Pond, Peter, 76  
 Pontbriand, Monseigneur de, 20  
 Pontiac's Conspiracy, 44  
 Pontiac's War, 45  
 "Pools," 278  
 Pope, William Henry, 182  
 Population, 15, 16, 17, 18, 42, 68, 77, 134, 135, 136, 187, 201, 231, 255, 277, 279  
 Populist Party, 279  
 Portland channel, 208, 250  
 Port Royal, 30, 34  
 Porter, Peter B., 82, 84  
 Postal conference, 345  
 Postal service, 75, 144, 283, 345  
 Prairie du Chien, 10  
 Pratt, E. J., 289  
 Preferential rates, 245-246  
 Prescott, Robert, 71, 111  
 Presqu' Isle, Fort, 44  
 Prevost, Sir George, 72, 88, 91  
 Pribilof Islands, 237  
 Price levels, 136  
 Prince Edward Island, 3, 35, 188, 218, 244, 352, 355; loyalists, 64, 74, 89; responsible government, 131-132; absentee landlords, 131; confederation, 181, 182, 184, 207, 279  
 Prince Rupert's Land, 31  
 Prince of Wales Island, 250  
 "Princess Pat" regiment, 304  
 Privy Council (British), 197, 223-225, 258  
 Proclamation of 1763, 44, 45, 46  
 Proctor, Colonel, 87  
 Prohibition, 215, 332-334  
 Propaganda (revolutionary), 51, 53  
 Property qualification, 167, 215  
 "Prophet, The," 83  
 Protestant dissenters, 163  
 Protestant minorities, 190  
 Protestant Protective Association, 234, 239  
 Provincial governments, 197, 198; powers and rights, 189, 223-225  
 Provincial universities, 287  
 Public Accounts Audit Act, 215

- Public debt, 319, 321  
 Public lands, 71, 75, 97, 99, 100, 101, 103, 116, 118, 128  
 Public Works, minister of, 196  
 Puget Sound Agricultural Company, 157  
 Pulp wood, 3  
 Putnams, 63
- Quakers, 73, 101  
 Quebec Act, 46-48; and American Revolution, 51, 53; repeal of, 62, 65, 93; and rebellion of 1837, 108  
*Quebec Chronicle*, 77  
 Quebec (city), 7, 8, 9, 14, 15, 19, 22, 38-40, 43, 52, 54, 65, 68, 70, 72, 75, 76, 97, 107, 183  
 Quebec Convention, 182, 183  
 Quebec Expedition, 34  
 Quebec (province), 3, 4, 5, 14, 18, 26, 27, 28, 42, 45, 46-48, 66, 71, 91, 98, 106-108, 119, 129, 130, 137, 161, 162, 170, 234, 239, 242, 243, 246, 260-263, 269, 272, 296, 297, 301, 302, 333, 352, 354, 355  
 Quebec, siege of, 39, 52, 53  
 Quebec, Sovereign Council of, 14, 15, 18, 19  
 Quebec surrender, terms of, 43  
 Quebec Liquor Commission, 333  
 Quebec Resolutions, 183-185  
 Queen Anne's War, 34, 35  
 Queenston Heights, battle of, 86
- Radical political reform, 161  
 Radisson, 8, 31  
 Railroads, 76, 142-144, 163, 180, 211-213, 215-216, 221-223, 234, 252-253, 275, 282-283, 321-325; nationalization, 312-313, 314  
 Railway and Canals, minister of, 196  
 Railway Commission, 253, 283  
*Rainbow* (the), 262  
 Ramezay, Chevalier de, 43  
 Randolph, Edmund, 70  
 Ratification (Quebec Resolutions), 185-187  
 "Rebel Ministry," 129  
 Rebellion of 1837, 106-111, 147, 153; in Lower Canada, 106-108; in Upper Canada, 108-111; nature of, 111; political prisoners in, 114; difficulties with United States, 109-111  
 Rebellion of 1884, 227-229  
 "Rebellion Losses Bill," 128-130, 137, 161, 162  
 Reciprocity Proposals, 139, 140, 158, 183, 215, 227, 231, 265; of 1911, 264-270  
 Récollets, 8, 18  
 Recruiting (Great War), 296, 299, 303-304  
 Red River, 11  
 Red River Rebellion, 202-204, 209  
 Red River valley, 228  
 Reform Bill of 1832, 91, 113  
 Regulation 17 (Ontario), 297
- Religious and racial antagonisms, 166, 232, 238, 239, 243, 245  
 "Rep. by Pop.," 165, 166, 179  
 Report on Affairs of British North America, 115, 116, 117, 132  
 "Republican Bank of Canada," 110  
 Responsible government, 120, 121, 124; evolution in Canada, 122-130; in maritime provinces, 130-133  
 Revenues, control of in Canada, 92-96, 97, 98, 102, 103, 116, 167; in maritime provinces, 131  
 Revolutions, American and French, 97  
 Ricardo, 118  
 Richelieu, Cardinal, 13, 14, 15, 21  
 Richelieu, Fort, 15  
 Richelieu River, 7, 21, 52; valley, 106, 107  
 Richmond, Duke of, 92, 93  
 Rideau Canal, 141  
 Riel, Louis, 202, 203, 204, 209, 227-229, 235  
 Rivers and Streams Bill (Ontario), 225  
 Robb, J. A., 363  
 Robb budget, 361, 365  
 Roberts, Charles G. D., 289  
 Roberts, W. R., 175  
 Robinson Crusoe, 230  
 Robinson, John Beverly, 100  
 Rochester, 110  
 Rockefeller Foundation, 334, 351  
 Rocky Mountains, 145, 146, 155, 156  
 Rogers Pass, 222  
 Rogers, Robert, 272  
 Rogues' March, 56  
 Roman Catholic Church, 120, 131, 179, 201, 206, 218, 230, 240; in New France, 18-20, 24-25; as landowner, 19, 25; education, 20; rights in 1763, 43; under Quebec Act, 46, 47; in American Revolution, 53, 54; under Constitutional Act of 1791, 66; in French Revolution, 71, 16-17; after 1812, 91, 92, 94; in rebellion of 1837, 107-108; westward expansion of, 146; attacks on, 161, 162, 234, 239; ultramontanes, 242-243; in Great War, 297  
 Roosevelt, Theodore, 251  
 Root, Elihu, 251, 264  
 Rose, John, 138  
 Ross, Sir George, 274  
 Ross, Gen. Robert, 88  
 "Rotation in office," 197  
 Rouse's Point, 153, 154  
 Rowell, N. W., 301, 344  
 Royal Canadian Academy, 290  
 Royal Mail Line, 142  
*Royal William* (the), 142  
 "Rule of 1756," 79, 80  
 Rum-running, 334  
 Rupert's Land, 200, 201  
 Rupert, Prince, 32, 252

- Rush, Richard, 159  
 Rush-Bagot Agreement, 124, 159  
 Russell, Lord John, resolutions of 1837, 98, 101, 104; and union, 118; responsible government, 120, 121, 124, 130, 131, 132  
 Russell, R. B., 329  
 Russell-Sydenham dispatches (1839), 120, 124  
 Russia, Czar of, 89  
 Russian Alaska, 250  
 Russian Soviet Republic, 344  
 Ryerson, Adolphus Egerton, 102, 105, 147, 148, 287  
 Ryswick, Treaty of, 34  
  
 Saar Basin, 344-345  
 Sackett's Harbor, 57, 208  
 "Salutary neglect," 50  
 "Sam Slick," 132, 289  
 San Juan Island, 157  
 Sandusky, Fort, 44  
 Saratoga, battle of, 55  
 Saskatchewan, 4, 5, 205, 256, 228  
 Saskatchewan Cooperative Elevator Company, 327  
 Saskatchewan River, 4, 11  
 Saskatchewan, University of, 287  
 Sauer, Christopher III, 62  
 Saunders, Margaret, 289  
 "Scandal Session," 236  
 Schenectady, 34  
 Schoodic River, 151  
 School system, 238, 239, 240  
 Scotch Highlanders, 201  
 Schuyler, Philip, 51  
 Scott, D. C., 289  
 Scott, Richard W., 244  
 Scott, Thomas, 203-204, 209  
 Scott, Winfield, 87, 110, 153  
 Scott Act, 225  
 Secession movement (Quebec), 303  
 Secretary of State, 196  
 Secretary of State for Dominion Affairs, 346  
 Sectional Antagonisms, 165  
 Seigniories, 21, 24, 25, 47, 53  
 Seigniorial tenure, 47, 161, 163, 164  
 Selkirk's colony, 201  
 Senate (Dominion), 191-193  
 Separate schools, 190, 238-241, 244-245, 297  
 Serajevo, 294  
 Seton, Ernest Thompson, 289  
 Seward, William H., 172, 226  
 Sewalls, 63  
 Sewell, Justice, 92  
 Shaftesbury, Earl of, 32  
 Sheffield (England), 167  
 Shelburne, 62  
 Shell Committee, 310  
  
 Sherbrooke, Sir John Coape, 92  
 Shipping, 142  
 Shirley, William, 35  
 Shortt, Adam, 289  
 Shoshone, 111  
 Sifton, Arthur L., 341  
 Sifton, Clifford, 244, 246, 269, 267, 300  
 Sillery, 15  
 Simcoe, John Graves, 72, 73  
 Sioux, 8  
 Skelton, Oscar Douglas, 289; on confederation, 180  
 Slavery (in British North America), 170  
 Smith, Chief Justice, 65  
 Smith, Donald. (Lord Strathcona and Mount Royal), 203, 213, 221, 222  
 Smith, Goldwin, 224, 227, 247  
 Smith, William, 180  
 Smoky River, 76  
 Smuts, Jan, 340, 342  
 Smythe, Alexander, 85, 86  
 Social gospel, 335  
 Socialism, 285  
 Social legislation, 257  
 Soldier-farmers, 318-319  
 Soldiers Civil Reestablishment, 317-319  
 Soldiers of the Cross, 8, 9  
 Solicitor General, 196  
 Somme, battle of, 304  
 "Sons of liberty," 106  
 South African Union, 340  
 South Carolina, 37  
 South Sea, 32  
 Sovereign Council of Quebec, 14, 15, 16, 19  
 Spain, 156  
 Sparks, Jared, 154  
 "Spoils System," 197  
 St. Albans, Vermont, 173  
 St. Charles River, 106, 107  
 St. Clair, Arthur, 69  
 St. Croix River, 55, 71, 150, 151  
 St. Denis, 106, 107, 108  
 St. Eustache, 107  
 St. Francis River, 154  
 St. Hyacinth, 106  
 St. John's, 52, 143, 182  
 St. John River, 152, 154  
 St. John Valley, 62  
 St. Joseph (Fort), 44  
 St. Julian, 304  
 St. Just, Letellier de, 224  
 St. Lawrence River, 4, 7, 30, 39, 46, 48, 52, 55, 84, 123, 135, 140, 142, 150, 152, 155, 172, 209  
 St. Lawrence, Gulf of, 3, 6, 7  
 St. Lawrence (Navigation of), 140  
 St. Leger, Col., 54

- St. Lin, 242  
 St. Louis (Fort), 10, 44  
 Stanley, 127  
*Star* (Montreal), 269, 274  
 States-General, 17  
 Steamboats, 75  
 "Steering West," 356  
 Stefansson, Vilhjalmur, 275  
 Stephen, George, 221  
 Stikcen Territory, 207  
 Strachan, John, 100, 148  
 Straits of Mackinaw, 86  
 Strathcona and Mount Royal (Donald A. Smith),  
     196, 203, 205, 213, 221, 222, 249  
 Strikes, 314, 329-331  
 Sulpicians, 9, 10  
 Sulté, Benjamin, 288  
 Sumner, Charles, 174  
 Supply Bills, Control of, 93, 94, 95, 96, 97, 98,  
     102, 103, 116, 131  
 Supreme Court (Canadian), 197, 215  
*Swiftsure*, the, 76  
 Sydenham, Baron (Poulett Thomson), 101, 118-  
     119, 120, 122-124, 133  
*Sydenham-Harrison Resolutions*, 124  
 Sydney, N. S., 330  
 Syndics, 14  
  
 Taché, Etienne Pascal, 122, 146, 165, 183, 203,  
     204, 228  
 Taft, William H., 265, 266, 267, 269, 324  
 Talon, Jean, 16, 17, 32  
 Tariff Legislation, 167, 174, 216, 217, 220, 226,  
     231, 234, 238, 245, 246, 264-270, 354, 356, 357,  
     361, 365  
 Tarleton, 56  
 Tarté, Israel, 244, 258  
 Tax Revision, 320  
 Tecumseh, 83, 85, 86, 87  
*Telegraph* (the), 110  
 Temperance Legislation, 225  
 Tennessee River, 44  
 Thames River, 87  
 Theatre, 291  
 Thomson, Poulett (Baron Sydenham), 101, 118,  
     119, 120, 122-124  
 Thomson, Tom, 290  
 Thompson, David, 76  
 Thompson, Jacob, 173  
 Thompson, Sir John, 263-269  
 Thornton, Sir Henry, 322  
 Thorpe, Robert, 73  
 Three Mile Limit, 158  
 Three Rivers, 15, 24, 27, 43, 107, 135, 136  
 Throne Speech, 194  
 Ticonderoga, 38, 39, 51  
 Tilley, Samuel Leonard, 181, 186, 187, 220  
  
 "Tin Pot Navy," 262  
 Tippecanoe, Battle of, 83  
 Toledo, 69  
 Toronto, 75, 77, 108, 109, 116, 118, 124, 132, 135,  
     136, 137, 147, 173, 187, 188  
*Toronto Globe*, 161, 162, 169, 171, 199, 226, 227,  
     272, 289, 298, 300, 331, 362  
 Toronto, University of, 128, 287, 334  
 Toronto, Simcoe and Huron R. R., 143  
 Tories, 56, 72, 99, 115, 125, 127, 130, 137, 148,  
     162, 163  
 Trade, 136, 188, 226, 256, 275, 277, 278  
 Trade and Commerce, Minister of, 196  
 Trades and Labor Congress, 285, 330  
 Transcontinental Railroad, 211, 220  
 Transportation Problems, 75, 76, 136, 141, 142-  
     144, 211-213, 215-216, 221-223, 234, 252, 253,  
     274, 275  
 Treaty of Aix La Chapelle, 16, 36  
 Treaty of Fort Stanwix, 44  
 Treaty of Ghent, 151, 155  
 Treaty of Lausanne, 346, 347  
 Treaty of Paris (1763), 40, 42; (1783), 42, 55, 56,  
     59, 69, 150  
 Treaty of Ryswick, 34  
 Treaty of St. Germain, 14  
 Treaty of Utrecht (1713), 34, 63  
 Treaty of Versailles, 341, 343  
 Treaty of Washington (1871), 174, 176, 208, 209,  
     231  
 Treaty of 1783, 150, 151, 152, 155, 157  
 Treaty of 1795, 150  
 Treaty of 1824, 156  
*Trent* Affair, 166, 172  
 Trieste, 80  
 Trotter, R. G., 289  
 Truro, 143  
 Tryon, Governor, 56  
 Tupper, Charles, 181, 183, 186, 187, 196, 199,  
     220, 223, 232; Prime Minister, 240, 241, 249  
 Turcotte, Louis P., 288  
 Turner, George, 251  
  
*Ultramontanes* (Quebec), 242-243  
*Uncle Tom's Cabin*, 169  
 Underground Railway, 169, 170  
 Union Act of 1841, Durham's report, 117; prep-  
     arations for, 118, 119; provisions, 119, 120;  
     criticisms of, 120, 121, 135; operation of, 161-  
     168; modifications of, 166-167  
 Union Bill of 1822, 94  
 Union Government (1917), 302, 312, 350, 354  
 Union Liberals, 300, 301, 351  
 Union Parliament, 122, 128, 162, 166, 180  
 Unionist Parliament, 302  
 United Canada, 182, 185



- United Church of Canada, 335
- United Farmers of Manitoba, 356
- United Farmers of Ontario, 328
- United Grain Growers, Ltd., 328, 356
- United States Bank, 141
- Upper Canada, 57, 60, 75, 76, 91, 94, 95, 98, 105, 110, 113, 115, 117, 118, 125, 126, 129, 130, 134, 135, 136, 141, 143, 144, 146, 147, 162, 164, 165; loyalists, 65; early politics, 72-73; family compact in, 99; immigration, 73; trade, 74, 75; public lands, 75, 100, 101; schools, 77; rebellion of 1837, 99, 104, 108-111; clergy reserves, 101; reform movement, 101-103; union, 199; radicals, 106
- Upper Canada Gazette*, 119
- Ursulines, 27
- Utrecht, Peace of, 34, 63
- Van Buren, Martin, 110, 111, 153
- Van Buskirk, Abraham, 62
- Vancouver, 222
- Vancouver's Cascade Canal, 76
- Vancouver Island, 157, 207
- Van Egmond, 109
- Van Horne, William, 222, 269
- Van Ness, Cornelius P., 151
- Van Renselaer, Stephen, 85, 86
- Vaudreuil (Last Governor of French Canada), 38, 39, 40, 43
- Verendrey, L. A., 11
- Vermont, 58; footnote, 138
- Verrazano, Giovanni da, 6
- Versailles (Peace Conference), 341, 343
- Victoria, Queen, 172, 247
- Victory Loan Drives, 308, 319
- Victory Loan Stabilization Committee, 309, 319
- Viger, Denis, 122
- Vikings, 6
- Vimy Ridge, Battle of, 304
- Virginia, 8, 30
- Vocational Training, 318
- Volstead Act, 333
- von Schultz, 111
- Wainwright Park (Alberta), 5
- Wakefield, Gibbon, 114
- Wales, Prince of, 344, 365
- Walk-in-the Water* (The), 76
- Walker, Horatio, 290
- Wall Street Journal*, 360
- Wallace, W. S., 289
- War of 1812, 79-99; causes, 79-84; Indian affairs, 83; American imperialism, 83, 84; preparedness for, 84-85; plans and campaigns, 85-88; in Maritime Provinces, 88-89; peace terms, 89; effects, 90, 91, 99, 134, 146, 151, 157, 159
- War Hysteria, 315
- "War of Pork and Beans," 152
- War of the Spanish Succession, 34
- War Boards (1914-1918), 311
- Wars, Canadian Share in British, 249
- "War Hawks," 82, 84
- War Measures Act, 311
- War Loans, 307, 308
- War Taxation, 309
- War Times Election Act, 299, 301, 315, 316, 332
- Warner, Seth, 51
- Washington, capture of city, 88, 114
- Washington, George, 36, 37, 55, 70, 171
- Washington, Treaty of (1871), 174, 176, 208, 209
- Water Power, 4
- Watkin, Edward W., 180
- Watson, Homer, 290
- Wayne, Anthony, 68
- Webster, Daniel, 153, 154, 155
- Webster-Ashburton Treaty, 151, 155
- Weekes, William, 73
- Welland Canal, 122, 123, 141
- West Virginia, 45
- Western Labor News*, 330
- Western University, 287
- Westward movement, 205, 246, 247, 255, 256, 278, 282, 318, 319
- West India Trade, 74, 79, 80, 137
- Wheat Board, 326
- "Whips" (Party), 194
- White, Sir Thomas, 272, 307-310, 324, 351
- White, William T., 272
- White House, 88
- William of Orange, 33
- William Henry (Fort), 38
- Williamsburg Canal, 141
- Williamson, Curtis, 290
- Willingdon, Viscount, 364
- Willis, Dr., 171
- Willis, John Walpole, 102
- Wilmot, Lemuel Allan, 131
- Wilson, President Woodrow, 341, 342, 343
- Wiman, Erastus, 226
- Windsor (Ontario), 111
- Winnipeg (Fort Garry), 201, 203, 204, 216, 329
- Winnipeg Strike (1919), 329
- Winnipeg *Tribune*, 300
- Winslows, 63
- Wisconsin, 8
- Wolfe, James, 38, 39, 40, 46
- Wolseley, Col., 204
- Woman's Suffrage, 276, 302, 316, 332, 335
- Women in New France, 26-28
- World Court, 344
- Wrong, George M., 289
- Wycliffe College, 147
- "Yankee dictation," 212

Yates, J. B., 141

Yellowstone, 11

York, city of (Toronto), 73, 87, 101, 103

Yukon River, 4, 145, 209, 246, 250, 251

Ypres, Battle of, 303, 304

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